



Appendix R

Section 6(f) Evaluation



APPROVALS

AMENDMENT TO PROJECT AGREEMENT
FINDING OF NO SIGNIFICANT IMPACT



**AMENDMENT TO PROJECT AGREEMENT
Land and Water Conservation Fund**



State: South Carolina

Project Amendment No. 45-00691.2

THIS AMENDMENT to Project Agreement No. 45-00691 is hereby made and agreed upon by the United States of America, acting through the Director of the National Park Service and by the State of South Carolina pursuant to the Land and Water Conservation Fund Act of 1965, 78 Stat. 897 (1964).

The State and the United States, in mutual consideration of the promises made herein and in the agreement of which this is an amendment, do promise as follows:

That the above mentioned agreement is amended by adding the following:

The partial conversion of +/- 0.27 acres at Highland Terrace (0.61 acres remaining) in the City of North Charleston, Charleston County, South Carolina valued at \$311,040, and replaced by +/- 4.90 acres at 5260 Deacon Street and 2313 Elder Avenue valued at \$610,000.

In all other respects the agreement of which this is an amendment, and the plans and specifications relevant thereto, shall remain in full force and effect. In witness thereof the parties hereto have executed this amendment as of the date entered below.

THE UNITED STATES OF AMERICA

STATE OF South Carolina

By 
(Signature)

By 
(Signature)

Acting Regional Director, Interior Region 2
(Title)

State Liaison Officer
(Title)

**National Park Service
United States Department of the Interior**

South Carolina Department of Parks, Recreation & Tourism
(Agency)

Date 11/15/2021

10/06/2021

NOTICES

Paperwork Reduction Act Statement

In accordance with the Paperwork Reduction Act (44 U.S.C. 3501), please note the following. This information collection is authorized by the Land and Water Conservation Fund Act of 1965 (54 U.S.C. 200301 et. seq.). Your response is required to obtain or retain a benefit. We use this information to document changes made to original grant agreement following the close-out of the grant. We may not conduct or sponsor and you are not required to respond to a collection of information unless it displays a currently valid Office of Management and Budget control number. OMB has assigned control number 1024-0031 to this collection.

Estimated Burden Statement

Public reporting burden for this form is estimated to average 1 hours per response including the time it takes to read, gather data, review instructions, and complete the form. Direct comments regarding this burden estimate, or any aspects of this form, to the Information Collection Clearance Officer, National Park Service, 12201 Sunrise Valley Drive, Mail Stop 242, Reston, VA 20192. Please do not send your form to this address.



United States Department of the Interior



NATIONAL PARK SERVICE

Atlanta Federal Center
1924 Building
100 Alabama Street, SW
Atlanta, GA 30303

IN REPLY REFER TO:

8.B. (IR2-RPB)
45-00691.2

November 22, 2021

Mr. Justin Hancock, State Liaison Officer
Department of Parks, Recreation, & Tourism
Recreation Grants
1205 Pendleton Street
Columbia, SC 29201

Dear Mr. Hancock:

We have reviewed the State's proposal, on behalf of the City of North Charleston (City), for the partial conversion of Highland Terrace Park (Park) in accordance with 36 C.F.R. § 59.3 and the Land and Water Conservation Fund (LWCF) State Assistance Program Manual, Volume 71 (Manual). The Park is a ± 0.87 -acre park that received LWCF assistance under project number 45-00691 in October 1971, to assist the City in the development and creation of the Park and establishing the LWCF public outdoor recreation use boundary.

According to the City, the partial conversion of a ± 0.27 -acre portion of the Park would allow for the change of use from recreation to non-recreation use to allow for the permanent right-of-way acquisition for the proposed I-526 LCC West transportation project. All practical alternatives were evaluated and rejected in favor of the partial conversion.

The documentation that the State submitted indicates that the replacement property ("Anderson Tract") consists of ± 4.90 acres located on 5260 Deacon Street and 2313 Elder Avenue and would allow the City to develop the land as a new parkland used to offset the loss of the LWCF public outdoor recreation use protected area. In addition, the proposal will replace recreational facilities with a pocket park on the remaining ± 0.60 -acre Park, which will still have the LWCF public outdoor recreation use protection. Although the existing Liberty Park Community Center is within the area being removed from public outdoor recreation use, the LWCF conversion regulations does not require replacement since it predates establishing the LWCF boundary and is not subject to the LWCF conversion regulations.

The appraisal of the ± 0.27 -acre partial converted property in the amount of \$311,040, and the appraisal of the entire ± 4.90 -acre replacement property amount of \$610,000, were approved by the State's Review Appraiser and concurred by you, as the State Liaison Officer.

Interior Region 2 • South Atlantic-Gulf

Alabama, Florida, Georgia, Kentucky, Louisiana, Mississippi
North Carolina, Puerto Rico, South Carolina, Tennessee, U.S. Virgin Islands

Based on the content of the Environmental Assessment (EA) prepared under the National Environmental Policy Act (NEPA), the proposal does not constitute an action that requires preparation of an Environmental Impact Statement (EIS). There are no significant impacts to public health, public safety, threatened or endangered species; therefore, a Finding of No Significant Impact (FONSI) is applicable and has been prepared and approved. Also, based on our thorough review and consideration of the facts contained in the project proposal submitted by the State, we have found the proposal to be consistent with 36 C.F.R § 59.3, and have approved this proposal.

Enclosed is your copy of the signed Amendment to the Project Agreement approving the conversion and a copy of the FONSI. Within three (3) years, please provide an “as-built” site plan of the developed replacement park, as well as the park name. If you have any question, please do not hesitate to contact Ms. Alexis H John, of my staff at (404) 507-5834 or by email alexis_john@nps.gov.

Sincerely,

Gwenevere P. Smith
Chief, Recreation Programs Branch

Enclosures

**U.S. Department of the Interior
National Park Service, Interior Region 2**

FINDING OF NO SIGNIFICANT IMPACT

**HIGHLAND TERRACE PARK PARTIAL CONVERSION
NORTH CHARLESTON, CHARLESTON COUNTY, SOUTH CAROLINA**

OCTOBER 2021

INTRODUCTION

The South Carolina Department of Parks, Recreation and Tourism (State/SCPRT), on behalf of the City of North Charleston (City), desires to remove the Land and Water Conservation Fund (LWCF) public outdoor recreation use protection from a ± 0.27 -acre portion of the total ± 0.87 -acre Highland Terrace Park – Liberty Park Community Center property, with a ± 0.60 -acre portion remaining as an LWCF facility. This proposal would allow for the alternative use of the ± 0.27 -acre portion by the South Carolina Department of Transportation (SCDOT), in conjunction with the U.S. Department of Transportation (FHWA), “Interstate 526 Lowcountry Corridor (LCC) WEST” transportation project that would improve traffic conditions in North Charleston. The proposed action would result in the acquisition and development of a new ± 4.90 -acre replacement site and would establish the LWCF public outdoor recreation use protection.

This Finding of No Significant Impact (FONSI) documents the decision of the National Park Service (NPS) to delete ± 0.27 acre of the Highland Terrace Park – Liberty Park Community Center property, located at 2401 Richardson Drive, and replacing it with privately-owned property located at 5260 Deacon Street and 2313 Elder Avenue, referred to as the “Anderson Tract”, which is approximately an 11-minute walk (± 0.6 mile) south of the original park site. The ± 4.90 -acre replacement property consist of a ± 4.56 -acre parcel and a ± 0.34 -acre parcel.

BACKGROUND

In 1965, Congress signed the LWCF Act into law (now codified at 54 U.S.C. § 2003) for the purpose of establishing and protecting a public outdoor recreation estate for the health and vitality of the American people and our visitors. The program is administered in partnership with the States. Each State, U.S. Territory, and the District of Columbia has a designated lead agency and governor-appointed State Liaison Officer (SLO) who is delegated authority to administer the program on behalf of the State. In South Carolina, the Governor appointed LWCF SLO is the SCPRT Director, Recreation, Grants & Policy.

According to the LWCF Act, no property acquired or developed with assistance under 54 U.S.C. § 200305(f)(3) shall, without the approval of the Secretary of the U.S. Department of Interior (delegated to the NPS), be converted to other than public outdoor recreation uses. An LWCF

conversion is triggered when a private and/or non-recreation use permanently occurs within the boundary of an LWCF-assisted property. The LWCF Act requires the conversion be in accord with the current Statewide Comprehensive Outdoor Recreation Plan (SCORP), of at least equal fair market value (FMV) and equivalent usefulness and location. The Post-Completion Compliance Responsibilities (36 C.F.R. § 59.1) identify the State as responsible for compliance and enforcement of the provisions of the LWCF Act.

The scope of the NPS review is limited to: 1) assessing equivalency between the areas proposed for removal from LWCF related public outdoor recreation use protection and the proposed replacement properties as further described in 36 C.F.R. § 59.3; 2) determining whether the remaining outdoor recreation area subject to LWCF requirements will constitute a viable outdoor recreation area; and, 3) determining whether there are any potential significant environmental impacts associated with acquiring and/or developing the proposed replacement property for public outdoor recreation use.

The NPS is responsible for determining the National Environmental Policy Act (NEPA) pathway and for ensuring the adequacy of any required Environmental Assessment (EA) or Environmental Impact Statement (EIS) documents and is solely responsible for signing the decision documents. The NPS serves as the lead agency in the delegation, preparation, and review of any EA or EIS for proposed LWCF actions. As the lead agency, the NPS provides guidance to the States on how to develop adequate environmental documentation according to the type of the state/local proposal for federal assistance.

The request to adopt the conversion alternative is made to the NPS by the State, on behalf of the City who will own and manage the replacement outdoor recreation opportunities. Upon the NPS approval of the conversion, an NPS-signed copy of the approved project agreement will be sent to the SLO as notification of conversion approval and the FONSI will be forwarded back to the State to be published for a 30-day no comment period on their public notification system, if applicable.

BACKGROUND

In October 1977, the U.S. Department of the Interior (DOI) Bureau of Outdoor Recreation (now the NPS LWCF State and Local Assistance Program) awarded the State grant #45-00691, which in turn sub-granted the award to the City (sponsor), to assist with site improvements at the existing ±0.87-acre recreation facility.

This partial conversion is necessitated by the SCDOT proposed I-526 LCC WEST transportation project that would permanently convert a portion of the Highland Terrace-Liberty Park Community Center parcel from recreation to non-recreation use. The recreational facilities are located within proximity to I-26 and would be impacted by the proposed transportation improvements. The I-526 LCC WEST project proposes additional lanes on I-26 as part of improvements to the I-526/I-26 interchange improvements and would require the westward realignment of Taylor Street, which would encroach on the Highland Terrace-Liberty Park property.

The NPS, for its action to approve the proposed conversion, is adopting the existing September 2020 “*Environmental Assessment Highland Terrace-Liberty Park and Community Center Partial Land Conversion 2401 Richardson Drive/5260 Deacon Street*” (EA), prepared by the SCDOT, in conjunction with the FHWA for the August 2020 “Interstate 526 Lowcountry Corridor (LCC) WEST DRAFT Environmental Impact Statement and DRAFT Section 4(f) Evaluation” (DEIS), for compliance with the NEPA.

The LWCF program has independently reviewed the existing EA and determined it meets all NEPA requirements applicable to the NPS. This FONSI will be made available to the public once it is signed as part of the Final Environmental Impact Statement (FEIS) and Record of Decision (ROD) process.

The SCDOT prepared the September 2020 EA to document and analyze the potential effects of its decision to allow for the permanent right-of-way acquisition in conjunction with the I-526 LCC) WEST transportation project.

SELECTED ALTERNATIVE

Based on the analysis presented in the EA, the NPS has concurred with the determination to implement the Build Alternative (Alternative B). The selected alternative is described on page 4 of the EA (Appendix R of the DEIS).

Build Alternative – Includes construction of the I-526 LCC WEST project and would remove federal protection from ±0.27 acre of the Highland Terrace-Liberty Park Community Center to allow for permanent right-of-way acquisition. This alternative includes the creation of an outdoor recreational complex on the Anderson Tract that will replace the facilities removed from the LWCF converted site, including a full-size outdoor basketball court, educational wetlands, playground, multi-use field, and fitness loop. This alternative also includes the reconstruction of outdoor recreational facilities at the existing facility (Highland Terrace-Liberty Park--a pocket park).

The SCDOT also proposes to replace recreational facilities with a pocket park on the remaining ±0.60-acre at the Highland Terrace-Liberty Park Community Center, which will still have the LWCF public outdoor recreation use protection. Although the Community Center is within the existing LWCF boundary of Highland Terrace Park, replacing the structure is not a requirement of the LWCF conversion regulations, since it predates establishing the LWCF boundary. There is a plan to replace the Community Center on the larger property; however, it will be subdivided from the LWCF replacement site.

This undertaking would acquire the Anderson Tract and convey ownership to the City for development in accordance with the LWCF conversion regulations at 36 C.F.R. § 59.3. The replacement site development will become an outdoor recreational complex that provides full replacement of amenities impacted at the Highland Terrace-Liberty Park Community Center. The City believes its plans for the development of the replacement property will enhance

recreational activities for its citizens while also satisfying several (if not all) of the State Outdoor Recreation Goals set forth in Section VII of the SCORP. The DEIS includes a project commitment to construct the replacement facilities prior to the displacement of the existing facility. The development is to be completed as soon as possible, with a 12-24-month construction schedule beginning in 2024.

The LWCF Act requires replacement property be in accord with the SCORP, of at least equal fair market value, and provide equivalent outdoor recreation opportunities (usefulness and location). This project is considered to be in accord with four (4) Goals of the current SCORP. Goal #1 “improving access to public recreation areas”, would be satisfied with the development of numerous public amenities, including sports fields, open recreation areas, and educational facilities on the replacement property. The conversion would achieve Goal #2 “promoting stewardship of resources”, by preserving the remaining land at the existing Highland Terrace-Liberty Park Community Center site for recreational purposes. Goal #3 “ensuring sustainable economic benefits”, would be satisfied by the larger size of the replacement property (± 4.90 acres) would allow for the opportunities for more potential in all areas of the SCORP, including the potential to sustain future economic benefits. Goal #4 “adapting to changes in recreation demand”, would be satisfied by the reconstruction of the existing Highland Terrace-Liberty Park Community Center amenities within the proposed pocket park at the same location, while also developing the amenities at the Anderson Tract.

The fair market value comparison is quantitative in nature and straight forward. The values are determined by an appraiser, prepared in conformity with the Uniform Appraisal Standard for Federal Land Acquisition (UASFLA), and reviewed by a State-certified Review Appraiser. The fair market value of the lost recreation area of ± 0.27 acre is \$311,040.00. The proposed replacement properties fair market value of ± 4.90 acres is \$610,000.00, which exceeds that which was lost.

The NPS LWCF program has determined that no significant environmental effects will result in adopting the 2020 EA because neither the circumstances, information, action, or its impacts have changed, and the impacts of removing the federal public outdoor recreation use protection from a portion of Highland Terrace Park – Liberty Park Community Center property (the proposed action) and placing it on the Anderson Tract property were also found not to be significant.

IMPACTED RESOURCES

Recreation – Converted Site: As a result of the partial conversion of ± 0.27 acre of the Highland Terrace Park – Liberty Park Community Center property to a permanent transportation right-of-way, there will be a loss of amenities that would be replaced at the proposed replacement property, as well as on the remaining ± 0.60 acre on the existing facility. **Replacement Site:** The ± 4.90 acres are undeveloped land that is covered in hardwood and pine timber forest land and consists of several small hills. The site does not have any recreational activities and will allow the municipality to design and develop a park that meets the current needs and demands of the community, which includes 3-4 ball fields with related amenities.

Overall aesthetics, special characteristics/features – Converted Site: Outside of typical maintenance and a small amount of landscaping, there are no special aesthetic characteristics or features currently at the Highland Terrace-Liberty Park Community Center. Replacement Site: The proposed pocket park would be landscaped and maintained to provide a positive effect on overall aesthetics of the site. The Anderson Tract will be landscaped and maintained to provide a positive effect on overall aesthetics of the site.

Water quality/quantity – Although the proposed replacement facility would increase the amount of impervious surface on the Anderson Tract, it would be limited to the basketball court, playground, and fitness loop. To manage stormwater, two stormwater detention basins are proposed on the Anderson Tract as part of the LWCF replacement and would serve as educational wetlands. No adverse impacts to water quality/quantity are anticipated by the proposed land conversion. No measurable effects to water quality or stream flow are expected.

Floodplains/wetlands – Replacement Site: Approximately ± 0.32 acre of floodplain impacts and ± 0.27 acre of wetland impacts are expected as a result of the proposed land conversion. As noted above, the proposed replacement facility includes stormwater management measures.

Land use/ownership patterns; property values; community livability – Converted Site: The City currently owns the Highland Terrace-Liberty Park Community Center property and would retain ownership of the remaining ± 0.60 -acre pocket park. No changes to land use, ownership patterns, or other community effects would be created as a result of the proposed land conversion and construction of a pocket park on the remaining ± 0.60 acre and it will be maintained regularly. Replacement Site: The Anderson Tract is currently a planned acquisition by SCDOT with the intent of conveying ownership to the City as a result of the proposed land conversion. The creation of recreational facilities would have a positive effect on community livability and cohesion which may provide benefit for adjacent property values.

Circulation, Transportation – Replacement Site: The proposed replacement property would include an access drive from Deacon Street as well as a driveway and approximately 25 parking spaces which would be accessed from Elder Avenue.

WHY THE SELECTED ALTERNATIVE WILL NOT HAVE A SIGNIFICANT EFFECT ON THE HUMAN ENVIRONMENT

After considering the environmental consequences described in the EA, the NPS believes the Selected Alternative information provided by the State and its associated actions is sufficient and that no significant impacts are anticipated on the quality of the human environment considering the context and intensity of impacts as defined in 40 CFR § 1508(h). This finding is determined by examining the following criteria:

1) Impacts that may have both beneficial and adverse aspects and which on balance may be beneficial, but that may still have significant adverse impacts that require analysis in an EIS.

The Selected Alternative will not have adverse impacts to geological resources, air quality, noise, streamflow characteristics, water quality/quantity, marine/estuarine resources,

floodplains/wetlands, Land use/ownership patterns; property values; community livability, circulation/transportation, plant/animal species of special concern and habitat, unique ecosystems, unique or important wildlife or fish habitat, introduce or promote invasive species (plant or animal), accessibility for populations with disabilities, aesthetics, historic/cultural resources, socioeconomics, minority and low-income populations, energy resources, tribal land use plans or policies, or land structure with history of contamination/hazardous materials.

2) *The degree to which public health and safety are affected.*

The Selected Alternative will not adversely affect public health and safety at the replacement property site.

3) *Any unique characteristics of the area (proximity to historic or cultural resources, wild and scenic rivers, ecologically critical areas, wetlands or floodplains, and so forth).*

The Selected Alternative is not located in an area with unique resources. There are no historical resources, park lands, prime farmland, wetlands, scenic rivers, or ecologically critical areas onsite or near the proposed park area.

4) *The degree to which impacts are likely to be highly controversial.*

The proposed alternative will have positive effects on the quality of the human environment and are not likely to be controversial.

5) *The degree to which the potential impacts are highly uncertain or involve unique or unknown risks.*

No highly uncertain effects on the quality of the human environment or unknown risks were identified throughout the environmental review process for the Selected Alternative.

6) *Whether the action may establish a precedent for future actions with significant effects, or represents a decision in principle about a future consideration.*

The proposed LWCF Act conversion proposal and decision were evaluated under the standard conversion process criteria in 36 C.F.R. § 59.3, thus, the Selected Alternative neither establishes a precedent for future actions with significant effects nor represents a decision in principle about a future consideration.

7) *Whether the action is related to other actions that may have individual insignificant impacts but cumulatively significant effects. Significance cannot be avoided by terming an action temporary or breaking it down into small component parts.*

The Selected Alternative will not have any significant cumulative adverse impacts.

8) *The degree to which the action may adversely affect historic properties in or eligible for listing in the National Register of Historic Places, or other significant scientific, archeological, or cultural resources.*

The Selected Alternative will not result in any adverse effects to National Register of Historic places listing or eligible listings.

9) *The degree to which an action may adversely affect an endangered or threatened species or its habitat.*

The Selected Alternative will not result in any adverse effects on endangered or threatened species or its habitat.

10) *Whether the action threatens a violation of federal, state, or local law or requirements imposed for the protection of the environment.*

The Selected Alternative has been evaluated in accordance with the LWCF Act conversion criteria at 36 C.F.R. § 59.3, and other applicable federal, state, and local requirements and has been found to be consistent with the law. Thus, the Selected Alternative does not threaten a violation of federal, state, or local environmental protection law.

AGENCY COORDINATION

Although during the planning and development process of the proposed undertaking, the Executive Order 13807 of August 15, 2017 guidance was followed, which required Federal agencies to process environmental reviews and authorization decisions for "major infrastructure projects" as One Federal Decision (OFD), this was later rescinded on January 20, 2021, by Executive Order 13990.

The EA was prepared in conformance with NEPA and has consulted with the State and various agencies in the preparation on the environmental documents.

During the preparation of the EA, the NPS, the State, SCDOT, and the City coordinated with federal, state, and local agencies, including the U.S. Fish and Wildlife Service, U.S. Army Corps of Engineers, the South Carolina State Historic Preservation Office (SHPO), the following tribes: Catawba Indian Nation, Eastern Shawnee Indians, Eastern Band of Cherokee Indians, and Muscogee (Creek) Nation.

National Historic Preservation Act (NHPA), Section 106 Coordination

Section 106 of the NHPA was integrated into the NEPA process and was initiated by the SCDOT as the lead agency (FHWA) official designee as defined under 36 C.F.R. § 800.2. In a letter dated July 27, 2020, the South Carolina SHPO reviewed the cultural resources survey report and concurred that no historic properties or archaeological resources listed in or eligible for listing in the National Register of Historic Places (NRHP) were identified at 2401 Richardson Drive (converted site) or 5260 Deacon Street (replacement site); therefore, no historic properties or archaeological resources would be affected by the construction of the proposed replacement recreation facilities.

As discussed in the EA, Tribal Historic Preservation Officers (THPO) for federally recognized tribes with an interest in the City were invited to be a consulting party for the I-526 LCC West project on March 29, 2019, and with additional documentation being transmitted on June 18, 2019. The response letter dated August 25, 2020 from the Catawba Indian Nation indicated no immediate concerns with the proposed project; however, requested that the tribe be notified if Native American artifacts and/or human remains are located during the ground disturbance phase

of the project. Copies of the correspondences and tribal response are included in Appendix A of the EA

The NPS concurs with the assessment that there are no impacts to historic or cultural resources.

PUBLIC INVOLVEMENT

Public input on the proposed replacement facilities occurred concurrent to the public engagement for the I-526 LCC WEST DEIS in the fall of 2020 through spring 2021. In October 2020, the EA was released as part of the DEIS technical appendices for the DEIS 30-day review and comment period distribution. The DEIS and this EA were made available for review online at the project website (<https://www.526lowcountrycorridor.com/west/>) and at the Project Community Office, located at 5627 Rivers Avenue (CARTA Route 10). In addition, the EA was also made available for review during normal business hours at City of North Charleston City Hall, 2500 City Hall Lane, North Charleston, SC 29406.

Public feedback supports the construction of replacement recreational facilities and ongoing engagement is shaping the programs and amenities that will be incorporated into the replacement facilities. The public involvement plan and meeting summaries can be found in Appendix U of the DEIS. The NPS has made no changes to the Selected Alternative.

FINDING OF NO SIGNIFICANT IMPACT

Based on the content of the EA prepared under NEPA, the NPS has determined the implementation of the Selected Alternative is not a major federal action and does not constitute an action that requires preparation of an Environmental Impact Statement (EIS). The Selected Alternative will not have a significant effect on the human environment. There are no significant impacts on public health, public safety, threatened or endangered species, cultural or historic resources. No highly uncertain or controversial impacts, unique or unknown risks, significant cumulative effects, or elements of precedence were identified. Implementation of the NPS Selected Alternative is consistent with 36 C.F.R. § 59.3, and will not violate any federal, state, or local environmental protection law.

Based on the foregoing, it has been determined that an EIS is not required for this action and thus will not be prepared.

GWENEVER
E SMITH


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Date: 2021.11.03
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Recommended: _____

Gwenevere P. Smith
Chief, Recreation Programs Branch
National Park Service - Interior Region 2

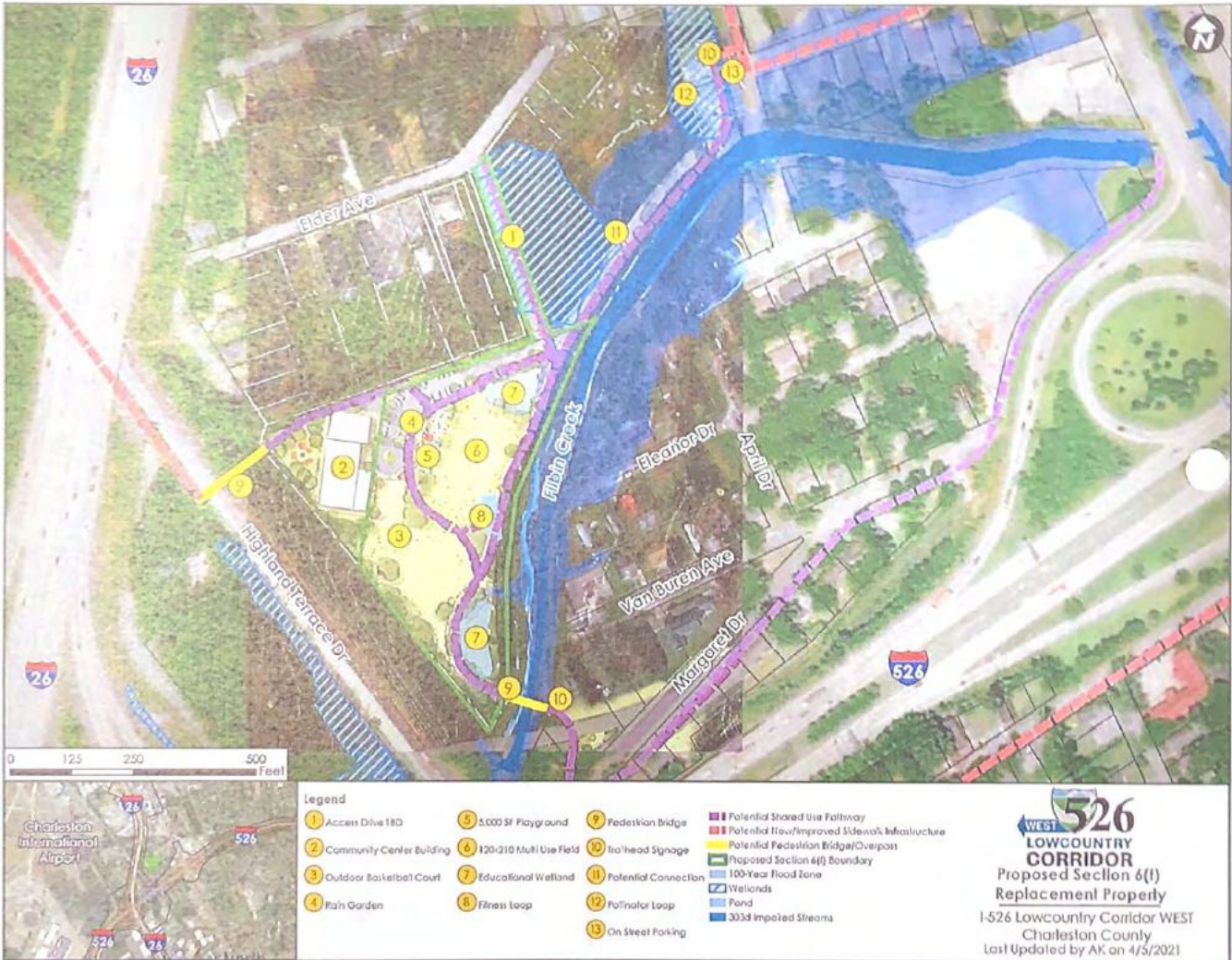
Date

Approved: _____


Cassius M. Cash
Acting Regional Director
National Park Service - Interior Region 2

11/15/2021

Date



Highland Terrace (Replacement Property)
 45-00691.1
 4.90 acres
 SLO/ASLO: *Auto Parcel - SLO*
 Date: 11-15-2021

Raymond H. Anderson
 Special Assistant to the Mayor
 City of North Charleston
 11.9.21

September 29, 2020

Mr. Justin E. Hancock
State Liaison Officer
South Carolina Department of
Parks, Recreation, and Tourism
1205 Pendleton Street, Suite 248
Columbia, SC 29201

Re: Request for Conversion of Use
Project No. 45-00691

Dear Mr. Hancock:

Please accept this letter as the initial request, by the City of North Charleston (the "City"), that certain real property owned by the City and presently restricted to public outdoor recreational use be converted to a use other than public outdoor recreation.

The real property subject to the conversion request (the "Restricted Property") comprises 0.23 acre and is located at 2401 Richardson Drive within the Highland Terrace-Liberty Park Community Center, a public, city-owned park in North Charleston, South Carolina. The real property the City proposes to restrict to public outdoor recreational use in replacement of the Restricted Property (the "Replacement Property") comprises 4.90 acres and is located at 5260 Deacon Street in North Charleston and is presently a residential parcel. The Restricted Property is shown on Exhibit A and the Replacement Property is depicted on Exhibit B.

The City believes that conversion of the Restricted Property is appropriate in this instance, for the following reasons. The Restricted Property is a small portion of the Highland Terrace-Liberty Park Community Center parcel. The South Carolina Department of Transportation (SCDOT) proposes to convert the Restricted Property to allow for permanent right of way acquisition in conjunction with the I-526 LCC WEST transportation project. The SCDOT also proposes to replace recreational facilities with a pocket park on the remaining 0.64-acre at the Highland Terrace-Liberty Park Community Center, which will still have the LWCF public outdoor recreation use restriction. Although the Community Center is within the existing LWCF boundary, replacing the structure is not a requirement of the LWCF conversion regulations since it predates establishing the LWCF boundary. There is a plan to replace the Community Center on the larger property; however, it will be subdivided from the LWCF replacement site.

The partial land conversion is necessitated by the I-526 LCC WEST transportation project, which would improve traffic conditions in North Charleston. Under the No Action alternative, no major changes would be made to the I-526/I-26 interchange and only routine maintenance would occur in future years. This alternative would result in the NPS not receiving the State's proposal, submitted on behalf of the City, to convert a portion of Highland Terrace-Liberty Park Community Center, pursuant to

AB

the LWCF conversion regulations. This alternative would not allow land to become available for the Taylor Street realignment, additional right-of-way for the I-526 LCC WEST project, and the development of replacement facilities on the Anderson Tract. The No Action alternative would not meet the purpose of and satisfy the need for improved transportation facilities in the area, and was not selected as the preferred alternative.

The SCDOT evaluated other available land within the immediate vicinity of the affected LWCF property, in an effort to replace the facility as close to the existing facility as possible. This evaluation included several City-owned and privately-owned parcels; however, these parcels were either too small or were comprised almost entirely of wetlands. The conversion of the Restricted Property and the development of the Replacement Property for public outdoor recreational use is in the best interest of the City and its residents.

The SCDOT has a conceptual plan for the development of the Replacement Property. A host of outdoor facilities are anticipated, including a full size outdoor basketball court, educational wetlands, playground, multi-use field, and fitness loop. The acquisition and development of the Replacement Property for these public uses will benefit the citizens of North Charleston to a much greater degree than having the Restricted Property continue its function as a small portion of the Highland Terrace-Liberty Park Community Center.

More specifically, the City believes its plans for the Replacement Property satisfies several (if not all) of the State Outdoor Recreation Goals set forth in Section VII of the South Carolina Comprehensive Recreation Plan ("SCORP"). SCORP Goal 1 ("improving access to public recreation areas") will be satisfied upon the completion of the conversion and the development of the Replacement Property. The Restricted Property is (as stated above) a small portion of the existing Highland Terrace-Liberty Park Community Center parcel. The Replacement Property will be home to numerous public amenities, including sports fields, open recreation areas, and educational facilities.

SCORP Goal 2 ("promoting stewardship of resources") will be satisfied with the placement of the Replacement Property into the City's parks service, particularly with the availability of the educational wetlands. The public will have opportunities to learn about the wetland ecosystem, which will be accomplished in an urban setting easily accessed by residents of the City. The preservation of the remaining land at the Highland Terrace-Liberty Park Community Center location for recreational purposes also serves to achieve this goal.

Goal 3 ("ensuring sustainable economic benefits"), will be satisfied by the fact that the Replacement Property is a much larger space than the Restricted Property. As a very small portion of the existing park parcel, the recreational potential of the Restricted Property is inherently limited, and so is the potential to sustain any real economic benefits. The Replacement Property, comprising approximately 4.90 acres, will have vastly more potential in all areas of the SCORP, including the potential to sustain economic benefit over the years to come.

SCORP Goal 4 ("adapting to changes in recreation demand") will also be satisfied by the conversion. As a small portion of the existing park, the Restricted Property is limited by its small size and

functionality – the area includes parking spaces, a playground area, and a portion of a full-size basketball court. However, all of these amenities will be reconstructed within the proposed pocket park at the same location.

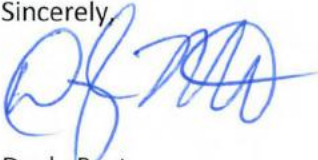
In summary, the City is confident that the conversion will result in enhanced recreational activities for its citizens and is excited about the opportunity presented to develop those uses on the Replacement Property.

In preparation for its formal request for conversion, the City, in coordination with the SCDOT, will use its best efforts to do the following:

- Complete and submit the National Park Service "Proposal Description and Environmental Screening Form" (NPS Form 10-904);
- Comply with the requirements of those portions of National Park Service Land and Water Conservation Fund State Assistance Program Manual governing the conversion process; and
- Satisfy the State Outdoor Recreation Goals set forth in Section VII of the South Carolina Comprehensive Recreation Plan, as generally outlined above.

The City of North Charleston looks forward to working with your office and the National Parks Service in the conversion process. Should you have any questions, or require any additional information, please do not hesitate to contact me.

Sincerely,



Doyle Best
Director of Recreation
City of North Charleston
(843)740.5814
djb主@northcharleston.org

**Partial Land Conversion, North Charleston, SC
Highland Terrace/Liberty Park Community Center, LWCF Projects #45-00691**

The South Carolina Department of Parks, Recreation & Tourism (SCPRT) has received a request from the City of North Charleston (the City), the project's sponsor, to submit a partial conversion request to the National Park Service. The City is seeking to remove the Land & Water Conservation Fund 6(f)3 restrictions from 0.27 acre of the approximately 0.87-acre Highland Terrace/Liberty Park Community Center. The South Carolina Department of Transportation (SCDOT) proposes to convert this portion of the Highland Terrace-Liberty Park Community Center to allow for permanent right-of-way acquisition required for the I-526 LCC WEST project. The conversion will affect some of the existing recreational facilities at the Highland Terrace-Liberty Park Community Center. The converted property will be replaced with approximately 4.90 acres of residential land that will become a new park in North Charleston.

The 0.87 acre Highland Terrace/Liberty Park Community Center parcel, valued at \$380,000, will be replaced with 4.90 acres, valued at \$610,000, located off of Deacon Street in the City. The remaining 0.60 acre at the existing site will be used in the development of a pocket park. The replacement property is currently residential land that is privately owned; the property will be acquired and developed by SCDOT to provide replacement amenities, and subsequently ownership will be transferred to the City. All appraisals were prepared in accordance with Uniform Federal Appraisal Standards and reviewed by an independent appraisal reviewer.

The SC Department of Parks, Recreation & Tourism supports the Town's request for the conversions and will recommend approval to the National Park Service.

ENVIRONMENTAL ASSESSMENT

Environmental Assessment

Highland Terrace-Liberty Park Community Center Partial Land Conversion 2401 Richardson Drive/5260 Deacon Street

A conversion of land protected under
The Land and Water Conservation Fund Act

June 2021

For Information Contact:

Chad Long
Director of Environmental Services
South Carolina Department of Transportation
Post Office Box 191
Columbia, SC 29202-191

Submitted to:

Justin Hancock
Director of Recreation, Grants and Policy
SC Department of Parks, Recreation & Tourism
1205 Pendleton Street
Columbia, SC 29201

For:

Alexis John
Land and Water Conservation Fund Program Officer
National Park Service
Southeast Region, Recreation Programs Branch
100 Alabama Street, SW 1924 Building
Atlanta, GA 30303-8701

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The Land and Water Conservation Fund (LWCF), Stateside Assistance grant program, provides funds to states, and through states to local agencies, for the acquisition and development of outdoor recreation resources. Lands that have received funding through LWCF are protected by section 6(f)(3) of the Act unless a conversion is approved by the Secretary of the Interior as delegated to the National Park Service.

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SUMMARY

North Charleston, South Carolina (City) is a coastal city with incorporated areas in Berkeley, Charleston, and Dorchester Counties. With the continued growth of the metropolitan area, the City has experienced a substantial increase in population over the last decade which is expected to continue as the area is further developed. Between 2017 and 2040, the City's population is projected to increase by approximately 46%. To accommodate recent and projected growth, the I-526 LCC WEST project proposes additional lanes on I-26 as part of improvements to the I-526/I-26 interchange. These improvements would require the westward realignment of Taylor Street, which would encroach on **Highland Terrace-Liberty Park Community Center**, a resource with a federal Land and Water Conservation Fund (LWCF) Act public outdoor recreation use restriction (now codified at 54 U.S.C. § 200305) boundary, located at 2401 Richardson Drive. The South Carolina Department of Transportation (SCDOT) proposes to convert a portion of the Highland Terrace-Liberty Park Community Center to allow for permanent right-of-way acquisition.

In addition to evaluating the proposed replacement property, the SCDOT evaluated other available land within the immediate vicinity of the affected LWCF property, in an effort to replace the facility as close to the existing facility as possible. This evaluation included several City-owned and privately-owned parcels; however, these parcels were either too small or were comprised almost entirely of wetlands. After an extensive search, a privately-owned parcel located at 5260 Deacon Street, referred to as the **Anderson Tract**, was found to be a suitable location without notable environmental or cultural features. The no-build alternative was also evaluated; however, leaving the existing LWCF property in its current state would not be compatible with the purpose of the I-526 LLC WEST project nor consistent with LWCF regulatory requirements set forth by 54 U.S.C. §200305(f)(3).

The SCDOT proposes to acquire the Anderson Tract and convey ownership to the City in accordance with the LWCF conversion regulations at 36 C.F.R. § 59.3. The SCDOT also proposes to replace recreational facilities with a pocket park on the remaining 0.60-acre at the Highland Terrace-Liberty Park Community Center, which will still have the LWCF public outdoor recreation use restriction. Although the Community Center is within the existing LWCF boundary, replacing the structure is not a requirement of the LWCF conversion regulations, since it predates establishing the LWCF boundary. There is a plan to replace the Community Center on the larger property; however, it will be subdivided from the LWCF replacement site. Public input on the proposed replacement facilities occurred concurrent to the public engagement for the I-526 LCC WEST Draft Environmental Impact Statement (DEIS) in the fall of 2020 through spring 2021. Public feedback supports the construction of replacement recreational facilities and ongoing engagement is shaping the programs and amenities that will be incorporated into the replacement facilities.

As such, the combined Final Environmental Impact Statement-Record of Decision (FEIS-ROD) includes a project commitment to construct the replacement facilities prior to the displacement of the existing facility.

In light of the proposed project and associated efforts to replace the converted LWCF property, the SCDOT is requesting that SC Department of Parks, Recreation & Tourism forward a recommendation to the NPS to approve the proposed conversion and replacement.

INTRODUCTION

In October 1977, the City received a LWCF grant for the creation of the **Highland Terrace-Liberty Park Community Center**, located at 2401 Richardson Drive, and establishing of the LWCF public outdoor recreation use boundary. Due to the proposed I-526 LCC WEST transportation improvement project, this location is needed for permanent right-of-way acquisition. The SCDOT proposes to replace impacted facilities at the Highland Terrace-Liberty Park Community Center with replacement amenities constructed at 5260 Deacon Street (**Anderson Tract**). Approximately 4.90 acres of the Anderson Tract and the City owned parcel to the north would be included within the LWCF replacement boundary. The appended vicinity map shows the location of both properties.

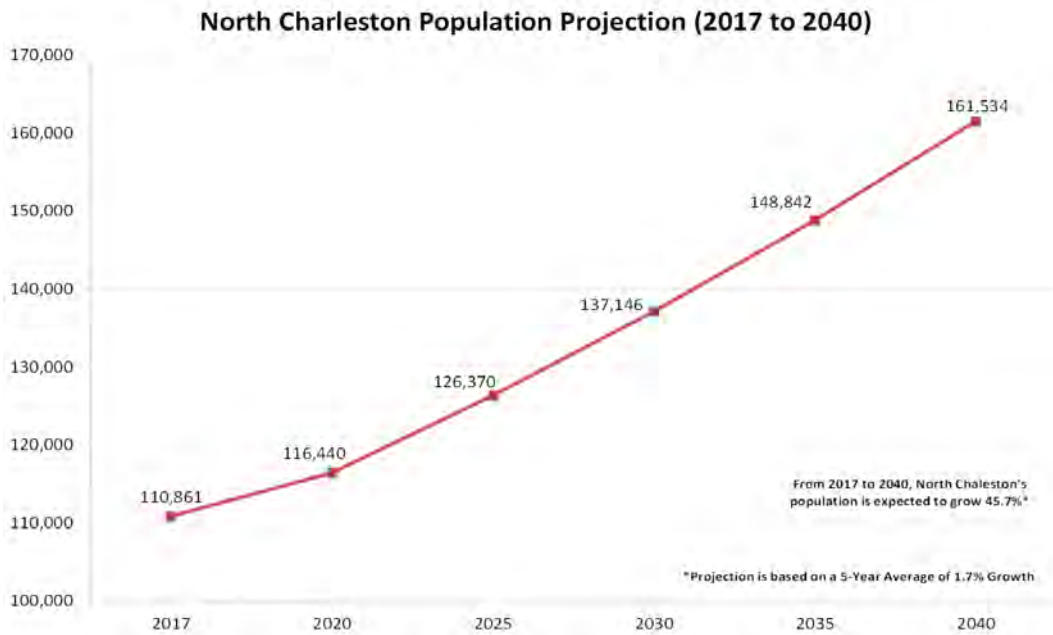
PURPOSE, NEED AND BACKGROUND

North Charleston, South Carolina is a coastal city with incorporated areas in Berkeley, Charleston, and Dorchester Counties. With the continued growth of the Charleston metropolitan area, North Charleston has experienced a substantial increase in population over the last decade. The City's population grew by approximately 20% in ten years from 97,471 in 2010 to 116,440 in 2020. As shown in the chart on Page 3, the City's population is projected to increase by approximately 46% in 2040.

To accommodate recent and projected growth, the SCDOT proposes to convert land owned by the City and protected under the LWCF for permanent right-of-way acquisition as a part of the I-526 LCC WEST transportation improvement project. The SCDOT proposes replacement of the converted land with the acquisition of nearby land currently in private ownership, development of the property to provide replacement amenities, and subsequent transfer of ownership to the City.

The purpose of this project is to convert a portion of the Highland Terrace-Liberty Park Community Center to allow for permanent right-of-way acquisition required by the proposed I-526 LCC WEST transportation improvement project. The community center and associated recreational facilities are located within close proximity to I-26 and would be impacted by the proposed transportation improvements. The I-526 LCC WEST project proposes additional lanes on I-26 as part of improvements to the I-526/I-26

interchange improvements and would require the westward realignment of Taylor Street, which would encroach on the Highland Terrace-Liberty Park property.



SOURCE: PRIME. North Charleston: Population & Demographics

<http://www.northcharleston.org/residents/community/primenorthcharleston/the-data/population-demographics/>

Description of the Highland Terrace-Liberty Park Community Center – The Highland Terrace-Liberty Park Community Center is a publicly-owned recreational area. It provides a forum for youth development programs and community gatherings and serves as a voting center. The 0.87-acre property consists of recreational amenities including a full-size basketball court, half-size basketball court, a playground, and a 1,947 square foot community center. See appended map and photos. The City purchased the property in 1977. Per the August 14, 2020 appraisal completed by Saunders & Associates, Inc., the property is valued at \$380,000. See appended environmental features site map.

Description of the Anderson Tract – The Anderson Tract, owned by Hattie Ruth Levy Anderson, is a planned acquisition by SCDOT with the intent of conveying ownership to the City. The parcel is mostly wooded and contains one single-family residence along its southern boundary. The entire landholding is 5.53 acres, of which 4.56 acres is proposed as replacement LWCF land. An additional 0.34 acres is required within the City owned parcel to the north for a proposed driveway. Per the July 6, 2020 appraisal completed by Saunders & Associates, Inc., the 4.90 acres including land and the existing residence are valued at \$610,000. If the NPS approves the conversion, this property would become a recreational complex that provides full replacement of amenities impacted at the Highland Terrace-Liberty Park Community Center. The appended vicinity map shows the location of both properties. See appended environmental features site map.

DESCRIPTION OF ALTERNATIVES

Alternative A (No Action) – This alternative would result in the NPS not receiving the State’s proposal, submitted on behalf of the City, to convert a portion of Highland Terrace-Liberty Park Community Center, pursuant to the LWCF conversion regulations. This alternative would not allow land to become available for the Taylor Street realignment, additional right-of-way for the I-526 LCC WEST project, and the development of replacement facilities on the Anderson Tract. Alternative A was not selected because it would not meet the purpose of and satisfy the need for improved transportation facilities in the area.

Alternative B (Build Alternative) – Alternative B includes construction of the I-526 LCC WEST project and would remove federal protection from 0.27-acre of the Highland Terrace-Liberty Park Community Center to allow for permanent right-of-way acquisition. This alternative includes the creation of an outdoor recreational complex on the Anderson Tract including a full size outdoor basketball court, educational wetlands, playground, multi-use field, and fitness loop. This alternative also includes the reconstruction of outdoor recreational facilities at the existing facility (Highland Terrace-Liberty Park pocket park). See appended figures showing proposed facilities at each location.

Alternatives Evaluated But Not Carried Forward – In addition to evaluating the proposed replacement property, SCDOT evaluated other available land within the immediate vicinity of the affected LWCF property, in an effort to replace the facility as close to the existing facility as possible. This evaluation included several City-owned and privately-owned parcels; however, these parcels were either too small or were comprised almost entirely of wetlands and as such, were not carried forward as feasible alternatives.

AFFECTED ENVIRONMENT

Highland Terrace-Liberty Park Community Center

- **Geological resources: soils, bedrock, slopes, streambeds, landforms, etc.**
Per the Phase I Environmental Site Assessment prepared by S&ME, Inc. on March 27, 2020, the project area is generally underlain by sandy and sandy loam soils. The Highland Terrace-Liberty Park Community Center is a fully developed parcel that consists of predominantly open space recreational areas. The tract is flat and relatively on grade with the road grades of Richardson Drive.
- **Air quality**
Per the Air Quality Impact Analysis performed by Stantec Consulting Services, Inc. dated May 2020, the project area is in attainment for all criteria pollutants.

Modeled concentrations of all MSAT pollutants are projected to experience significant reductions between 2015 and 2050.

- **Sound (noise impacts)**

The main sources of noise within the current property include a rail corridor to the north as well as motor vehicles along I-26.

- **Water quality/quantity**

According to an environmental survey performed by Civil Engineering Consulting Services, Inc. on July 23, 2020, there are no streams or other water conveyances located on the property.

- **Stream flow characteristics**

According to an environmental survey performed by Civil Engineering Consulting Services, Inc. on July 23, 2020, no streams will be affected by the proposed land conversion.

- **Marine/estuarine features**

There are no known marine/estuarine features that will be affected in the proposed conversion area.

- **Floodplains/wetlands**

Per Federal Emergency Management Agency (FEMA) Floodplain Mapping, the entire property is located in Zone X (moderate flood hazard zone). A small wetland area sits on the northern boundary of the parcel, as shown in the appended environmental features map.

- **Land use/ownership patterns; property values; community livability**

Per an appraisal by Saunders & Associates, Inc. dated August 14, 2020, the current land use is recreational. The subject tract has primarily been designated for recreational use by the City since it was transferred on May 17, 1977. This transaction was recorded in the RMC Office of Charleston County in Deed Book L112, Page 371.

- **Circulation, Transportation**

The main circulation/transportation is currently access from Richardson Drive and Taylor Street. The nearest public transportation option is the CARTA bus route along Rivers Avenue.

- **Plant/animal/fish species of special concern and habitat**

According to an environmental survey performed by Civil Engineering Consulting Services, Inc. on July 23, 2020, there is no suitable habitat for species of special concern.

- **Federal listed or proposed for listing**

According to an environmental survey performed by Civil Engineering Consulting Services, Inc. on July 23, 2020, there is no suitable habitat for federally-listed species or species proposed for listing.

- **Unique ecosystems, such as biosphere reserves, World Heritage sites, old growth forests, etc.**
 No unique ecosystems, World Heritage sites, old growth forests, or other notable terrestrial communities were identified during the environmental survey performed by Civil Engineering Consulting Services, Inc. on July 23, 2020.
- **Unique or important wildlife/ wildlife habitat**
 Per an e-mail from United States Fish and Wildlife Service (USFWS) dated July 28, 2020, USFWS concurs with findings that the proposed "land swap" will not alter the quality of the natural environment, and we do not offer any objections.
- **Unique or important fish/habitat**
 No unique or important fish/habitat was identified during the environmental survey performed by Civil Engineering Consulting Services, Inc. on July 23, 2020.
- **Introduce or promote invasive species (plant or animal)**
 There are no notable areas with invasive species currently on the property.
- **Recreation resources, land, parks, open space, conservation areas, rec. trails, facilities, services, opportunities, public access, etc.**
 Current recreational resources within the property will be impacted by the proposed land conversion. However, 0.60-acre of the 0.87-acre property not acquired for permanent right-of-way acquisition will be developed into a pocket park.
- **Accessibility for populations with disabilities**
 The Highland Terrace-Liberty Park Community Center includes access for populations with disabilities.
- **Overall aesthetics, special characteristics/features**
 The property is fully developed and contains a 1,947 square foot community center with recreational amenities. Outside of these facilities, there are no special characteristics or features on the property.
- **Historical/cultural resources, including landscapes, ethnographic, archeological, structures, etc. Attach SHPO/THPO determination.**
 The Highland Terrace-Liberty Park Community Center was surveyed for historic resources as part of the studies conducted for the proposed I-526 LCC WEST project. Based on the results of background research and field survey, there are no historic resources recommended eligible for listing on the National Register of Historic Places at the Highland Terrace-Liberty Park Community Center. The Highland Terrace-Liberty Park Community Center does not warrant intensive archaeological survey, as soils are defined as Urban land and located within the Filbin Creek drainage.

- **Socioeconomics, including employment, occupation, income changes, tax base, infrastructure**
The Highland Terrace-Liberty Park Community Center provides after school and summer programs which provide childcare options for neighborhood residents.
- **Minority and low-income populations**
The Highland Terrace-Liberty Park Community Center provides programs for the surrounding neighborhoods which are identified as minority and low-income populations.
- **Energy resources (geothermal, fossil fuels, etc.)**
The Highland Terrace-Liberty Park Community Center does not contain any energy resources such as geothermal energy or fossil fuels.
- **Other agency or tribal land use plans or policies**
The Highland Terrace-Liberty Park Community Center is not a focus area in any agency or tribal land use plans or policies.
- **Land/structures with history of contamination/hazardous materials even if remediated**
Per the Phase I Environmental Site Assessment prepared by S&ME, Inc. on March 27, 2020, no sites of concern are located on the parcel.
- **Other important environmental resources to address.**
There are no other known environmental resources to address by the proposed land conversion.

Anderson Tract

- **Geological resources: soils, bedrock, slopes, streambeds, landforms, etc.**
Per the Phase I Environmental Site Assessment prepared by S&ME, Inc. on March 27, 2020, the project area is generally underlain by sandy and sandy loam soils. The Anderson Tract consists of predominantly wooded and open space areas. The tract is relatively flat and on grade with the road grade of Deacon Street.
- **Air quality**
Per the Air Quality Impact Analysis performed by Stantec Consulting Services, Inc. dated May 2020, the project area is in attainment for all criteria pollutants. Modeled concentrations of all MSAT pollutants are projected to experience significant reductions between 2015 and 2050 due to improvements in vehicle emission standards.
- **Sound (noise impacts)**
The main sources of noise within the proposed recreational complex area include the adjacent rail corridor and noise from motor vehicles along I-526.

- **Water quality/quantity**
 According to an environmental survey performed by Civil Engineering Consulting Services, Inc. on July 23, 2020, the only aquatic habitat observed within this site is an approximately one-half acre freshwater pond.
- **Stream flow characteristics**
 According to an environmental survey performed by Civil Engineering Consulting Services, Inc. on July 23, 2020, no streams will be affected by the proposed land conversion.
- **Marine/estuarine features**
 According to an environmental survey performed by Civil Engineering Consulting Services, Inc. on July 23, 2020, the only aquatic habitat observed within this site is an approximately one-half acre freshwater pond.
- **Floodplains/wetlands**
 Per FEMA Floodplain Mapping, the entire property is located in Zone X (moderate flood hazard zone) and 0.3-acre is located in Zone AE (1% annual chance flooding). There are no wetlands on the Anderson Tract; a small wetland area exists within the City owned parcel containing the proposed driveway to the replacement facilities.
- **Land use/ownership patterns; property values; community livability**
 Mr. Samuel F. and Hattie Ruth Levy Anderson built the subject house in the 1960's. Mrs. Hattie Ruth Levy Anderson received title to the subject from Samuel F. Anderson a/k/a Samuel Anderson through Deed of Distribution on May 1, 2008. This is identified as Case Number: 2008-ES-10-00481 and recorded in the RMC Office for Charleston County in Deed Book Y658, Page 882.
- **Circulation, Transportation**
 There are approximately 650 linear feet of an unpaved private driveway extending from Deacon Street to a single-family residence. Visibility and access to the rear portion of the parcel are otherwise limited due to the presence of a rail line to the west and Filbin Creek to the south. The nearest public transportation option is the CARTA bus route along Rivers Avenue.
- **Plant/animal/fish species of special concern and habitat**
 According to an environmental survey performed by Civil Engineering Consulting Services, Inc. on July 23, 2020, there is no suitable habitat for species of special concern.
- **Federal listed species or species proposed for listing**
 According to an environmental survey performed by Civil Engineering Consulting Services, Inc. on July 23, 2020, there is no suitable habitat for federally-listed species or species proposed for listing.

- **Unique ecosystems, such as biosphere reserves, World Heritage sites, old growth forests, etc.**
 No unique ecosystems, World Heritage sites, old growth forests, or other notable terrestrial communities were identified during the environmental survey performed by Civil Engineering Consulting Services, Inc. on July 23, 2020.
- **Unique or important wildlife/ wildlife habitat**
 No unique or important wildlife or wildlife habitat was identified during the environmental survey performed by Civil Engineering Consulting Services, Inc. on July 23, 2020.
- **Unique or important fish/habitat**
 No unique or important fish/habitat was identified during the environmental survey performed by Civil Engineering Consulting Services, Inc. on July 23, 2020.
- **Introduce or promote invasive species (plant or animal)**
 There are no notable areas with invasive species currently on the property.
- **Recreation resources, land, parks, open space, conservation areas, rec. trails, facilities, services, opportunities, public access, etc.**
 The Anderson Tract does not contain any existing recreational resources, services, or opportunities for recreation.
- **Accessibility for populations with disabilities**
 The Anderson Tract is privately-owned and does not include facilities specifically for access by populations with disabilities.
- **Overall aesthetics, special characteristics/features**
 The property is mostly wooded, and a single-family residential structure is present. no special characteristics or features are present on the property.
- **Historical/cultural resources, including landscapes, ethnographic, archeological, structures, etc.**
 The Anderson Tract was surveyed for historic resources as part of the studies conducted for the proposed I-526 LCC WEST project. Based on the results of background research and field survey, there are no historic resources recommended eligible for listing on the National Register of Historic Places at the Anderson Tract. The Anderson Tract does not warrant intensive archaeological survey, as soils are defined as Urban land and located within the Filbin Creek drainage.
- **Socioeconomics, including employment, occupation, income changes, tax base, infrastructure**
 The Anderson Tract does not contain any facilities or provide functions that influence or otherwise affect local socioeconomic conditions.
- **Minority and low-income populations**
 The Anderson Tract does not contain any facilities or provide functions that provide services for minority and low-income populations.

- **Energy resources (geothermal, fossil fuels, etc.)**
The Anderson Tract does not contain any energy resources such as geothermal energy or fossil fuels.
- **Other agency or tribal land use plans or policies**
The Anderson Tract is not a focus area in any agency or tribal land use plans or policies.
- **Land/structures with history of contamination/hazardous materials even if remediated**
Per the Phase I Environmental Site Assessment prepared by S&ME, Inc. on March 27, 2020, no sites of concern are located on the parcel.
- **Other important environmental resources to address**
There are no other known environmental resources to address by the proposed land conversion.

ENVIRONMENTAL IMPACTS

Recreational resources, facilities, and recreation opportunities at Highland Terrace-Liberty Park Community Center would be impacted by the proposed I-526 LCC WEST project. No impacts to the human or natural environment are anticipated from the proposed land conversion and replacement of impacted recreational facilities.

This proposal is being prepared in conjunction with the I-526 LCC WEST transportation improvement project. The I-526 LCC WEST FEIS-ROD includes a project commitment to construct the replacement facilities prior to the displacement of the existing facility.

Highland Terrace-Liberty Park Community Center

- **Geological resources: soils, bedrock, slopes, streambeds, landforms, etc.**
No measurable effects to geologic resources are expected as a result of the proposed land conversion and construction of a pocket park on the land remaining at the Highland Terrace-Liberty Park Community Center.
- **Air quality**
No measurable effects to air quality are expected as a result of the proposed land conversion and construction of a pocket park on the land remaining at the Highland Terrace-Liberty Park Community Center.
- **Sound (noise impacts)**
No measurable changes to existing or expected noise levels anticipated as a result of the proposed land conversion and construction of a pocket park on the land remaining at the Highland Terrace-Liberty Park Community Center.

- **Water quality/quantity**
 No measurable effects to water quality or quantity are expected as a result of the proposed land conversion and construction of a pocket park on the land remaining at the Highland Terrace-Liberty Park Community Center.
- **Stream flow characteristics**
 There are no streams at the existing site and no measurable effects to stream flow are expected as a result of the proposed land conversion and construction of a pocket park on the land remaining at the Highland Terrace-Liberty Park Community Center.
- **Marine/estuarine features**
 No measurable effects to marine/estuarine features are expected as a result of the proposed land conversion and construction of a pocket park on the land remaining at the Highland Terrace-Liberty Park Community Center.
- **Floodplains/wetlands**
 The small wetland along the northern boundary of the existing facility would not be impacted by the proposed conversion. No measurable effects to floodplains/wetlands are expected as a result of the proposed land conversion and construction of a pocket park on the land remaining at the Highland Terrace-Liberty Park Community Center.
- **Land use/ownership patterns; property values; community livability**
 The City currently owns the Highland Terrace-Liberty Park Community Center and would retain ownership of the remaining 0.60-acre pocket park. No changes to land use, ownership patterns, or other community effects would be created as a result of the proposed land conversion and construction of a pocket park on the land remaining at the Highland Terrace-Liberty Park Community Center.
- **Circulation, Transportation**
 No measurable effects to circulation or transportation are expected as a result of the proposed land conversion. The proposed pocket park would be accessed from Richardson Drive and the Taylor Street relocation. Currently there are eight parking spaces at the existing facility; approximately ten spaces would be created along Taylor Street as a part of the proposed conversion.
- **Plant/animal/fish species of special concern and habitat**
 No notable species of special concern or habitat were found during field surveys. No measurable effects on plant/animal/fish species of special concern and habitat are expected as a result of the proposed land conversion and construction of a pocket park on the land remaining at the Highland Terrace-Liberty Park Community Center.
- **Federal listed species or species proposed for listing**
 No protected species or habitat were identified during field surveys. No measurable effects to federal listed or proposed for listing are expected as a

result of the proposed land conversion and construction of a pocket park on the land remaining at the Highland Terrace-Liberty Park Community Center.

- **Unique ecosystems, such as biosphere reserves, World Heritage sites, old growth forests, etc.**

There are no unique ecosystems located at the existing facility. No measurable effects to unique ecosystems, such as biosphere reserves, World Heritage sites, old growth forests, etc. are expected as a result of the proposed land conversion and construction of a pocket park on the land remaining at the Highland Terrace-Liberty Park Community Center.

- **Unique or important wildlife/ wildlife habitat**

There is no unique or important wildlife or wildlife habitat at the existing facility. No measurable effects to unique or important wildlife/wildlife habitat are expected as a result of the proposed land conversion.

- **Unique or important fish/habitat**

There is no unique or important fish habitat at the existing facility. No measurable effects to unique or important fish/habitat are expected as a result of the proposed land conversion.

- **Introduce or promote invasive species (plant or animal)**

The proposed conversion would not create an opportunity to introduce or promote invasive species. The Highland Terrace-Liberty Park Community Center would be landscaped and regularly maintained.

- **Recreation resources, land, parks, open space, conservation areas, rec. trails, facilities, services, opportunities, public access, etc.**

Although amenities would be replaced at the proposed replacement property and on the remaining land at the existing facility, 0.27-acre containing recreational features would be converted to permanent transportation right-of-way.

- **Accessibility for populations with disabilities**

No measurable effects on accessibility for populations with disabilities are expected as a result of the proposed land conversion and construction of a pocket park on the land remaining at the Highland Terrace-Liberty Park Community Center. Accessibility will be included in the design of both the new recreational complex and the pocket park at the existing site.

- **Overall aesthetics, special characteristics/features**

Outside of typical maintenance and a small amount of landscaping, there are no special aesthetic characteristics or features currently at the Highland Terrace-Liberty Park Community Center. The proposed pocket park would be landscaped and maintained to provide a positive effect on overall aesthetics of the site.

- **Historical/cultural resources, including landscapes, ethnographic, archeological, structures, etc.**

No measurable effects on historical/cultural resources, including landscapes, ethnographic, archeological, structures, etc. are expected as a result of the proposed land conversion.

Per a letter dated July 27, 2020 from SHPO, there are no documented historic properties that are eligible for listing or listed in the National Register of Historic Places in the proposed Area of Potential Effect (APE) and no additional cultural resources/historic property identification survey are needed.

On March 29, 2019, an invitation to be a consulting part on the I-526 LCC West project was sent via email to the Tribal Historic Preservation Officers (THPO) for the Catawba Indian Nation, Eastern Shawnee Indians, and Muscogee Creek Nation. The Catawba Indian Nation responded via email on May 6, 2019 indicating they wished to be a consulting party. On June 18, 2019, SCDOT transmitted electronic copies of the overall eligibility of resources in the project study area to the Muscogee (Creek) Nation and Eastern Shawnee Nation, and a physical copy of the report to the Catawba Indian Nation on behalf of FHWA. The Catawba Indian Nation returned a signed concurrence letter to SCDOT on June 26, 2019. On July 2, 2019, SCDOT received a concurrence letter from the Catawba Indian Nation on both the I-526 Lowcountry Corridor West Project, Charleston Co., SC Addendum II report and the I-526 West Cultural Resources Effect Determination Memo. Throughout the project a response was not received from the Eastern Shawnee Indians or Muscogee Creek Nation.

- **Socioeconomics, including employment, occupation, income changes, tax base, infrastructure**

No measurable effects on socioeconomics, including employment, occupation, income changes, tax base, infrastructure are expected as a result of the proposed land conversion and construction of a pocket park on the land remaining at the Highland Terrace-Liberty Park Community Center.

- **Minority and low-income populations**

No measurable effects on minority and low-income populations are expected as a result of the proposed land conversion and construction of a pocket park on the land remaining at the Highland Terrace-Liberty Park Community Center.

- **Energy resources (geothermal, fossil fuels, etc.)**

No measurable effects on energy resources (geothermal, fossil fuels, etc.) are expected as a result of the proposed land conversion and construction of a pocket park on the land remaining at the Highland Terrace-Liberty Park Community Center.

- **Other agency or tribal land use plans or policies**

No measurable effects on other agency or tribal land use plans or policies are expected as a result of the proposed land conversion and construction of a

pocket park on the land remaining at the Highland Terrace-Liberty Park Community Center.

- **Land/structures with history of contamination/hazardous materials even if remediated**

No measurable effects on land or structures with a history of contamination/hazardous materials even if remediated are expected as a result of the proposed land conversion and construction of a pocket park on the land remaining at the Highland Terrace-Liberty Park Community Center.

- **Other important environmental resources to address**

No measurable effects on other important environmental resources are expected as a result of the proposed land conversion and construction of a pocket park on the land remaining at the Highland Terrace-Liberty Park Community Center.

Anderson Tract

- **Geological resources: soils, bedrock, slopes, streambeds, landforms, etc.**

No measurable effects to geologic resources are expected as a result of the proposed land conversion.

- **Air quality**

No measurable effects to air quality are expected as a result of the proposed land conversion.

- **Sound (noise impacts)**

No measurable changes to existing or expected noise levels are anticipated as a result of the proposed conversion.

- **Water quality/quantity**

The proposed replacement facility would increase the amount of impervious surface on the Anderson Tract; however, it is limited to the basketball court, playground, and fitness loop. To manage stormwater, two stormwater detention basins are proposed on the Anderson Tract as part of the LWCF replacement. These stormwater facilities will also serve as educational wetlands. No adverse impacts to water quality/quantity are anticipated by the proposed land conversion. No measurable effects to water quality or stream flow are expected as a result of the proposed land conversion.

- **Stream flow characteristics**

No measurable effects to water quality or stream flow are expected as a result of the proposed land conversion.

- **Marine/estuarine features**

No measurable effects to marine/estuarine features are expected as a result of the proposed land conversion.

- **Floodplains/wetlands**
 Approximately 0.32 acre of floodplain impacts and 0.27 acre of wetland impacts are expected as a result of the proposed land conversion. As noted above, the proposed replacement facility includes stormwater management measures.
- **Land use/ownership patterns; property values; community livability**
 The Anderson Tract is currently a planned acquisition by SCDOT with the intent of conveying ownership to the City as a result of the proposed land conversion. The creation of recreational facilities would have a positive effect on community livability and cohesion which may provide benefit for adjacent property values.
- **Circulation, Transportation**
 The proposed replacement property would include an access drive from Deacon Street as well as a driveway and approximately 25 parking spaces which would be accessed from Elder Avenue.
- **Plant/animal/fish species of special concern and habitat**
 No measurable effects to plant/animal/fish species of special concern and habitat are expected as a result of the proposed land conversion. Per correspondence from USFWS dated July 28, 2020, USFWS concurs with findings that the proposed "land swap" will not alter the quality of the natural environment and does not object to the proposed conversion and replacement.
- **Federal listed species or species proposed for listing**
 No measurable effect to federal listed or proposed for listing are expected as a result of the proposed land conversion. Per correspondence from USFWS dated July 28, 2020, USFWS concurs with findings that the proposed "land swap" will not alter the quality of the natural environment and does not object to the proposed conversion and replacement.
- **Unique ecosystems, such as biosphere reserves, World Heritage sites, old growth forests, etc.**
 No measurable effect to unique ecosystems, such as biosphere reserves, World Heritage sites, old growth forests, etc. are expected as a result of the proposed land conversion. Per correspondence from USFWS dated July 28, 2020, USFWS concurs with findings that the proposed "land swap" will not alter the quality of the natural environment and does not object to the proposed conversion and replacement.
- **Unique or important wildlife/ wildlife habitat**
 No measurable effects to unique or important wildlife/wildlife habitat are expected as a result of the proposed land conversion. Per correspondence from USFWS dated July 28, 2020, USFWS concurs with findings that the proposed "land swap" will not alter the quality of the natural environment and does not object to the proposed conversion and replacement.

- **Unique or important fish/habitat**

No measurable effects to unique or important fish/habitat are expected as a result of the proposed land conversion. Per correspondence from USFWS dated July 28, 2020, USFWS concurs with findings that the proposed "land swap" will not alter the quality of the natural environment and does not object to the proposed conversion and replacement.

- **Introduce or promote invasive species (plant or animal)**

The proposed conversion would not create an opportunity to introduce or promote invasive species. The Anderson Tract would be landscaped and regularly maintained.

- **Recreation resources, land, parks, open space, conservation areas, rec. trails, facilities, services, opportunities, public access, etc.**

The Anderson Tract would be developed as a recreational complex if the proposed land conversion is approved. Recreational resources in the area would be improved by the addition of the recreational complex on the Anderson Tract in addition to the remaining land at the Highland Terrace-Liberty Park Community Center being retained and redeveloped for outdoor recreational purposes.

- **Accessibility for populations with disabilities**

The proposed replacement recreational facilities would be designed to ensure accessibility for populations with disabilities. No measurable effects on accessibility for populations with disabilities are expected as a result of the proposed land conversion.

- **Overall aesthetics, special characteristics/features**

There are no special characteristics or features currently on the Anderson Tract. The property will be landscaped and maintained to provide a positive effect on overall aesthetics of the site.

- **Historical/cultural resources, including landscapes, ethnographic, archeological, structures, etc.**

No measurable effects on historical/cultural resources, including landscapes, ethnographic, archeological, structures, etc. are expected as a result of the proposed land conversion.

Per a letter dated July 27, 2020 from SHPO, there are no documented historic properties that are eligible for listing or listed in the National Register of Historic Places in the proposed Area of Potential Effect (APE) and no additional cultural resources/historic property identification survey are needed.

On March 29, 2019, an invitation to be a consulting part on the I-526 LCC West project was sent via email to the Tribal Historic Preservation Officers (THPO) for the Catawba Indian Nation, Eastern Shawnee Indians, and Muscogee Creek Nation. The Catawba Indian Nation responded via email on May 6, 2019

indicating they wished to be a consulting party. On June 18, 2019, SCDOT transmitted electronic copies of the overall eligibility of resources in the project study area to the Muscogee (Creek) Nation and Eastern Shawnee Nation, and a physical copy of the report to the Catawba Indian Nation on behalf of FHWA. The Catawba Indian Nation returned a signed concurrence letter to SCDOT on June 26, 2019. On July 2, 2019, SCDOT received a concurrence letter from the Catawba Indian Nation on both the I-526 Lowcountry Corridor West Project, Charleston Co., SC Addendum II report and the I-526 West Cultural Resources Effect Determination Memo. Throughout the project a response was not received from the Eastern Shawnee Indians or Muscogee Creek Nation.

- **Socioeconomics, including employment, occupation, income changes, tax base, infrastructure**

No measurable effects on socioeconomics, including employment, occupation, income changes, tax base, infrastructure are expected as a result of the proposed land conversion.

- **Minority and low-income populations**

No measurable effects on minority and low-income populations are expected as a result of the proposed land conversion.

- **Energy resources (geothermal, fossil fuels, etc.)**

No measurable effects on energy resources (geothermal, fossil fuels, etc.) are expected as a result of the proposed land conversion.

- **Other agency or tribal land use plans or policies**

No measurable effects on other agency or tribal land use plans or policies are expected as a result of the proposed land conversion.

- **Land/structures with history of contamination/hazardous materials even if remediated**

No measurable effects on land or structures with history of contamination/hazardous materials even if remediated are expected as a result of the proposed land conversion.

- **Other important environmental resources to address**

No measurable effects on other important environmental resources to address are expected as a result of the proposed land conversion.

Coordination and Consultation

Relevant agency correspondence and technical reports are appended to this EA. The following agencies were contacted during the preparation of this document:

- Saunders & Associates, Inc., 106 Pitt Street, Mount Pleasant, SC 29464
- Civil Engineering Consulting Services, Inc., 2551 Oscar Johnson Drive, Suite B North Charleston, SC 29405
- SC Historic Preservation Office, 8301 Parklane Road, Columbia, SC 29223-4905
- Catawba Indian Nation, 1536 Tom Stevens Road, Rock Hill, SC 29730
- Eastern Band of Cherokee Indians, P. O. Box 445, Cherokee, NC 28719
- Muscogee Creek Nation, P. O. Box 580, Okmulgee, OK 74447
- U.S. Fish and Wildlife Service, 176 Croghan Spur Road, Suite 200, Charleston, SC 29407
- Department of the Army Corps of Engineers Regulatory Division, Strom Thurmond Federal Building, 1835 Assembly Street, Rm 865B-1, Columbia, SC 29201

This EA will be submitted to Justin Hancock, Director of Recreation, Grants and Policy, SC Department of Parks, Recreation & Tourism, 1205 Pendleton Street, Columbia, SC 29201 for review and recommendation.

The City of North Charleston and the SCDOT entered into an intergovernmental agreement (IGA) regarding specific elements of the I-526 LCC WEST EJ Community Mitigation Plan (EJCMP) as some aspects of the EJCMP require coordination with and/or implementation through the City of North Charleston. A draft version of the IGA is included in Appendix A.

Opportunities for Public Comment

Public input on the proposed replacement facilities occurred concurrent to the public engagement for the I-526 LCC WEST Draft Environmental Impact Statement (DEIS) in the fall of 2020 through spring 2021. The Draft EA was released for a 30-day comment period coinciding with the distribution of the DEIS in October 2020. The Draft EA was available for review and comment as part of the DEIS technical appendices. The DEIS and this EA were made available for review online at the project website and at the

Project Community Office, located at 5627 Rivers Avenue (CARTA Route 10). This EA was also made available for review during normal business hours at City of North Charleston City Hall, 2500 City Hall Lane, North Charleston, SC 29406.

The project team developed a mitigation-specific survey that was distributed to EJ neighborhood residents and other area residents. The survey focused on individual preferences on a range of topics that included recreational amenities and programs for the replacement recreational facilities. The survey, along with a self-addressed envelope and stamp, was mailed to each residence in the EJ neighborhoods as well as property owners who own land within the EJ communities, but may not necessarily live there themselves. The same content was also developed into an online survey that was available to the general public and anyone in the EJ community who prefers to use an online platform. As of January 15, 2021, 199 surveys were submitted to the project team, 69 of those were completed online and 130 through the mail. A summary of the results of this survey can be found in the EJ Community Mitigation Plan (FEIS-ROD Appendix H).

Public feedback supports the construction of replacement recreational facilities and ongoing engagement is shaping the programs and amenities that will be incorporated into the replacement facilities.

References Consulted

Saunders & Associates, Inc., Appraisal of 5260 Deacon Street, North Charleston, SC

Saunders & Associates, Inc., Appraisal of 2401 Richardson Drive, North Charleston, SC

Stantec Consulting Services, Inc., I-526 LCC WEST Air Quality Impact Analysis, Interstate 526 & Interstate 26 Interchange

Civil Engineering Consulting Services, Inc., Proposed LWCF Conversion of the Highland Terrace-Liberty Park Community Center, Biological Survey

S&ME, Inc., Phase I Environmental Site Assessment, I-526 Corridor Improvements

FEMA Floodplain Maps

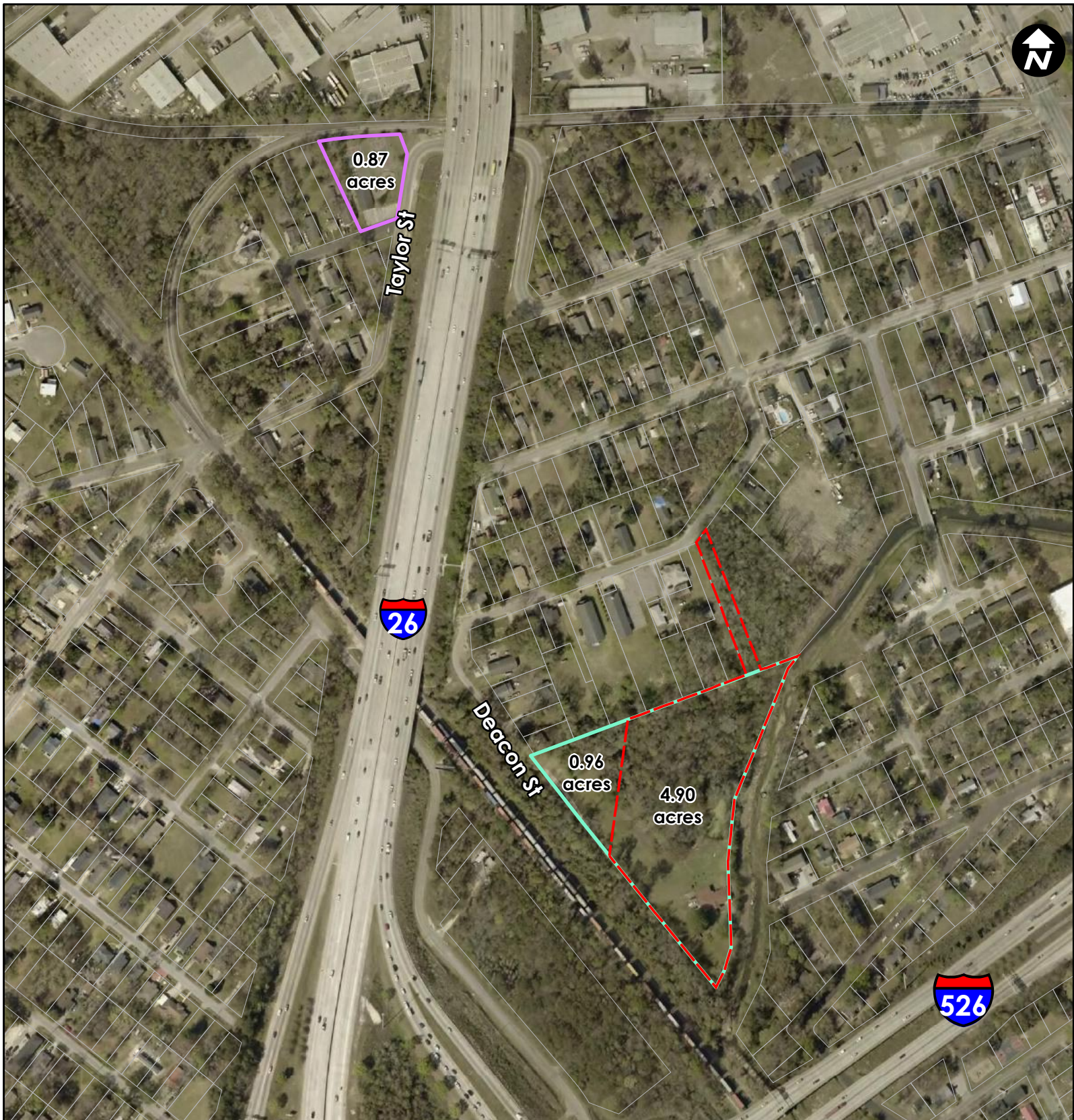
List of Preparers

The following individual, firms, and resources contributed, directly or indirectly, to the development of this EA which was prepared in consultation with the National Park Service:





- Chad Long, Director of Environmental Services, SCDOT, Post Office Box 191, Columbia, SC 29202-191
- Amy Sackaroff, Senior Transportation Planner, Stantec, 801 Jones Franklin Road Suite 300, Raleigh, NC 27606-3394

- Michael Wray, Transportation Engineer, Stantec, 801 Jones Franklin Road Suite 300, Raleigh, NC 27606-3394
- Stuart M. Saunders, Appraiser, Saunders & Associates, Inc., 106 Pitt Street, Mount Pleasant, SC 29464
- Amanda Harris, Civil Engineering Consulting Services, Inc., 2551 Oscar Johnson Drive, Suite B, North Charleston, SC 29405

FIGURES



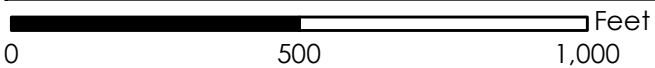
Legend

-  Parcels
-  Anderson Tract - Proposed 6(f) Boundary
-  Highland Terrace-Liberty Park Community Center
-  Anderson Tract



Vicinity Map

I-526 Lowcountry Corridor WEST
 Charleston County
 Last Updated by AK on 9/11/2020



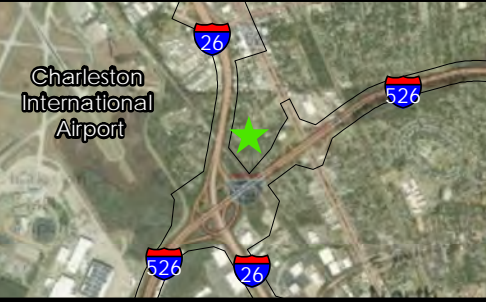
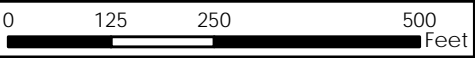
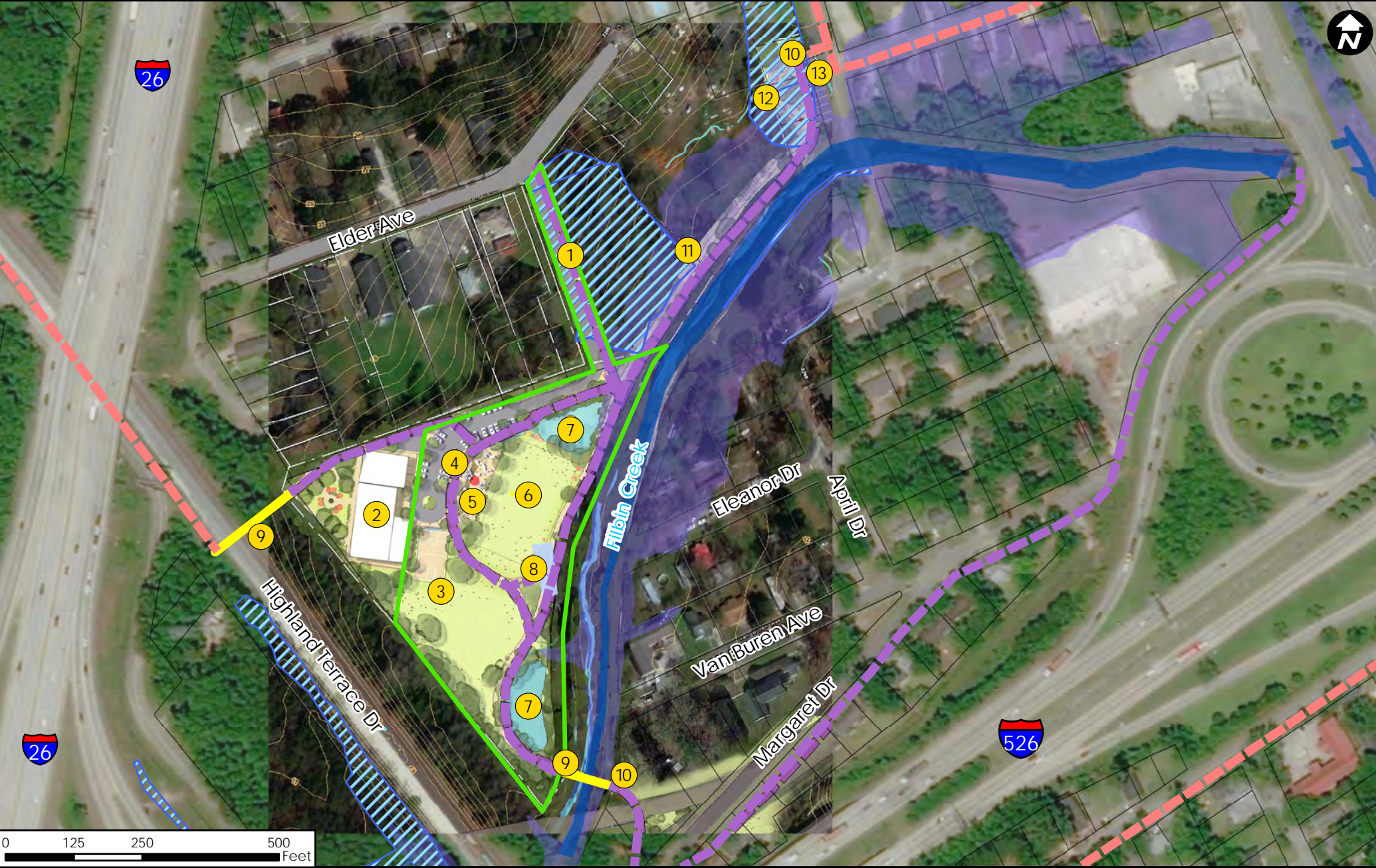


- Legend**
- Proposed Section 6(f) Boundary
 - 100-Year Flood Zone
 - Wetlands
 - Pond
 - 303d Impaired Streams



**Replacement Property
Environmental Features Map**

I-526 Lowcountry Corridor WEST
Charleston County
Last Updated by AK on 9/11/2020



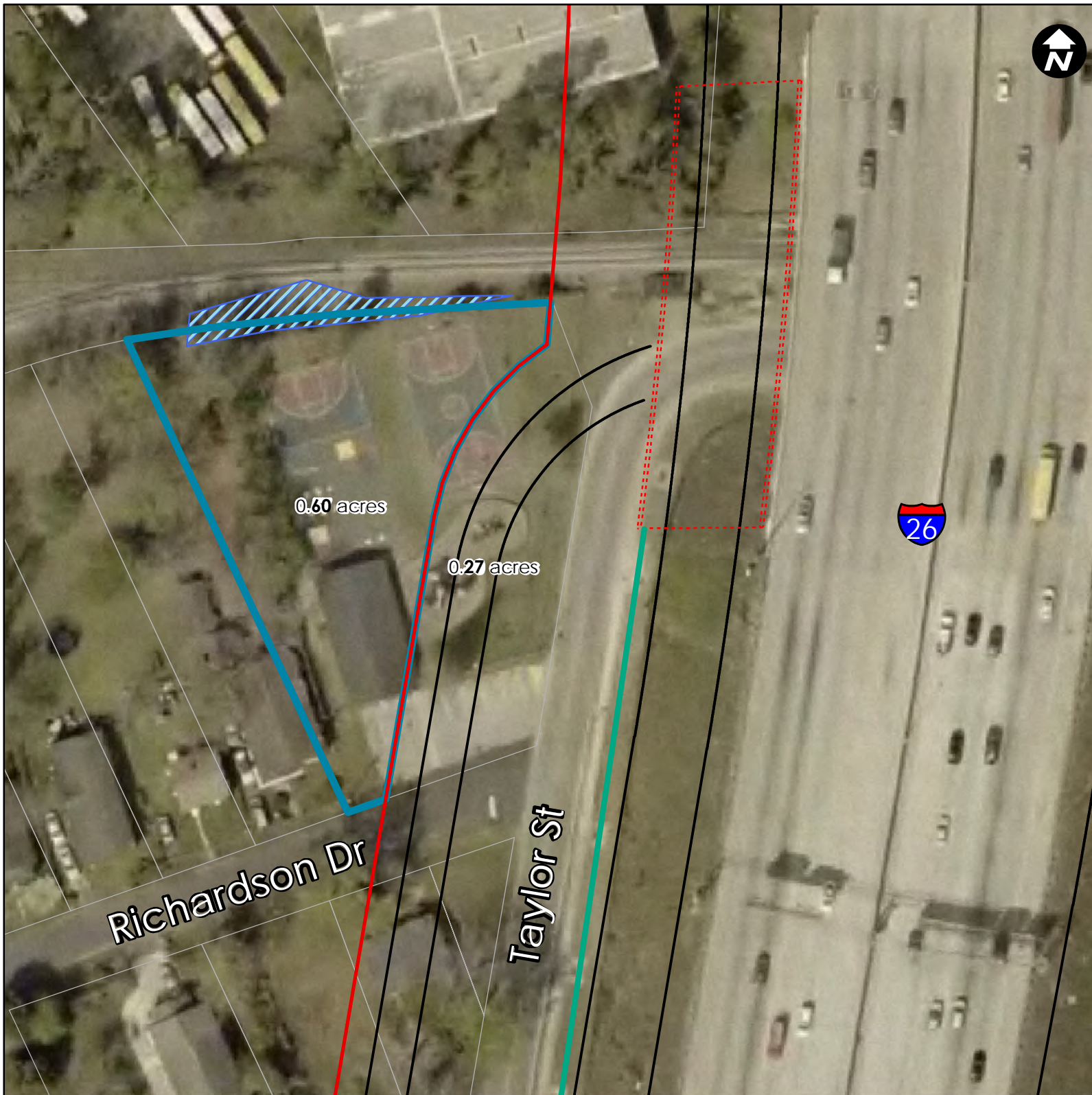
Legend

- 1 Access Drive TBD
- 2 Community Center Building
- 3 Outdoor Basketball Court
- 4 Rain Garden
- 5 5,000 SF Playground
- 6 120x210 Multi Use Field
- 7 Educational Wetland
- 8 Fitness Loop
- 9 Pedestrian Bridge
- 10 Trailhead Signage
- 11 Potential Connection
- 12 Pollinator Loop
- 13 On Street Parking
- Potential Shared Use Pathway
- Potential New/Improved Sidewalk Infrastructure
- Potential Pedestrian Bridge/Overpass
- Proposed Section 6(f) Boundary
- 100-Year Flood Zone
- Wetlands
- Pond
- 303d Impaired Streams



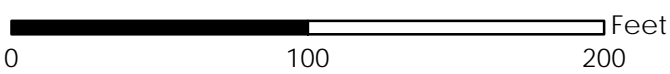
Proposed Section 6(f) Replacement Property

I-526 Lowcountry Corridor WEST
Charleston County
Last Updated by AK on 4/5/2021



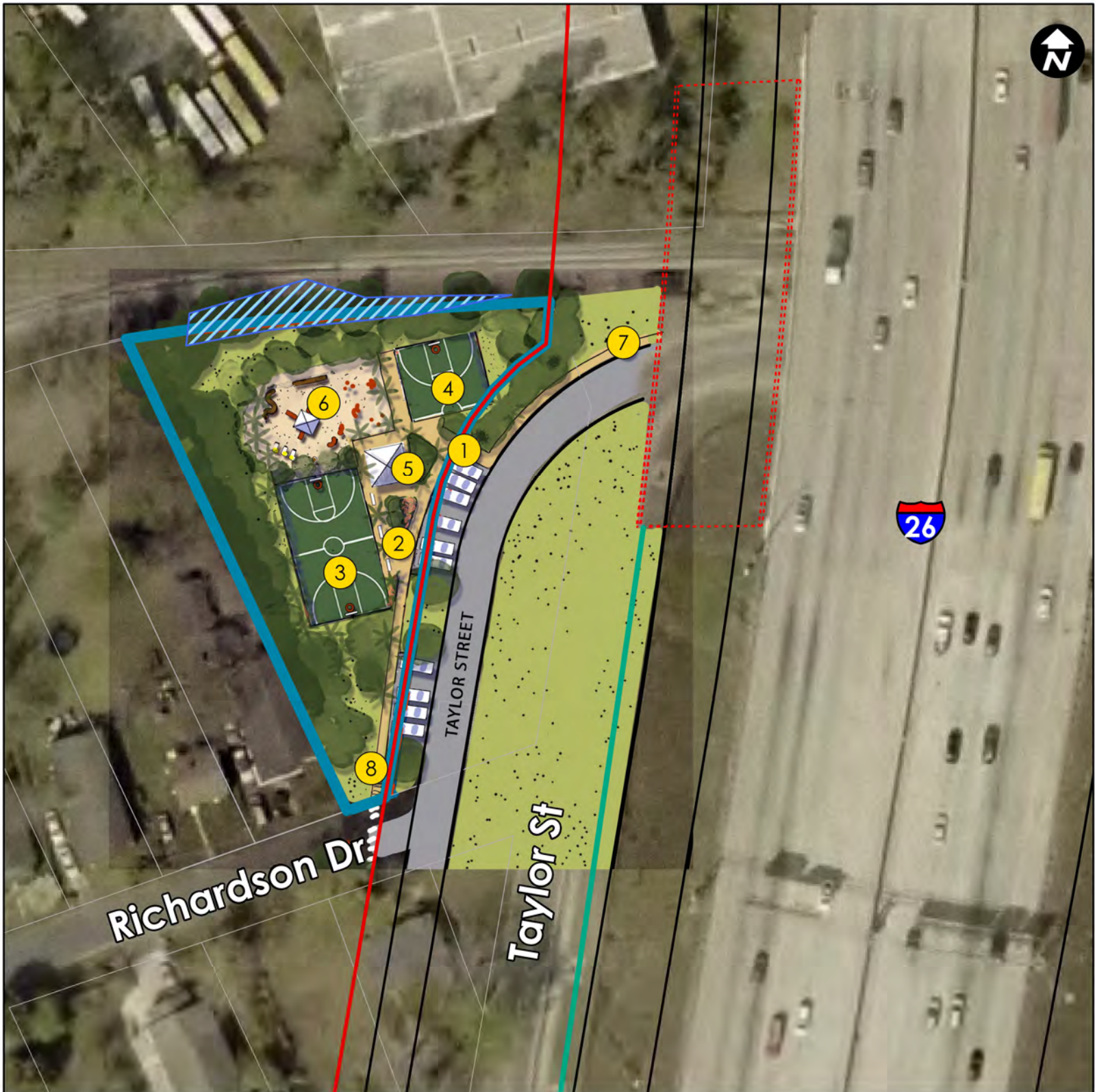
Legend

-  Proposed Bridge
-  Proposed Taylor St Relocation
-  Proposed Right of Way
-  Mitigation Barrier
-  Parcels
-  Proposed Pocket Park
-  Wetlands
















Highland Terrace-Liberty Park
Community Center
Environmental Features

I-526 Lowcountry Corridor WEST
Charleston County
Last Updated by AK on 4/9/2021



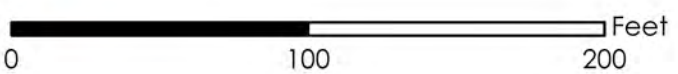
Legend

-  Proposed Bridge
-  Proposed Taylor St Relocation
-  Proposed Right of Way
-  Mitigation Barrier
-  Parcels
-  Proposed Pocket Park
-  Wetlands
-  1 On Street Parking
-  2 Wood Benches
-  3 Full Court Basketball
-  4 Half Court Basketball
-  5 25x25 Open Air Pavilion
-  6 5000 SF Playground
-  7 Sidewalk Connection
-  8 Improve Cross Walks



Highland Terrace-Liberty Park Community Center Environmental Features

I-526 Lowcountry Corridor WEST
Charleston County
Last Updated by AK on 4/12/2021



APPENDICES

APPENDIX A

AGENCY COORDINATION

**Cooperative Intergovernmental Agreement Between
The City of North Charleston and
The South Carolina Department of Transportation
For Mitigation Efforts Related to the I-526 Improvement Project**

This Agreement is made this 15th day of October, 2021, by and between the City of North Charleston (hereinafter "City") and the South Carolina Department of Transportation (hereinafter "SCDOT") (collectively "the Parties").

WITNESSETH THAT:

WHEREAS, SCDOT is developing an interstate improvement project on the I-526 Lowcountry Corridor in the greater Charleston region; and

WHEREAS, SCDOT has determined that the project will have significant impacts to the communities surrounding the existing interstate corridor that will require mitigation; and

WHEREAS, SCDOT is committed to work with City in order to properly mitigate these potential community impacts; and

WHEREAS, City is agreeable to work with SCDOT in order to meet common goals regarding mitigation efforts in the North Charleston community; and

WHEREAS, SCDOT is an agency of the State of South Carolina with the authority to enter into contracts necessary for the proper discharge of its functions and duties; and

WHEREAS, City is a body politic with the authority to enter into contracts necessary for the proper discharge of its functions and duties; and

WHEREAS, the Parties wish to set forth herein the terms of their relationship to accomplish the purpose set forth above;

NOW THEREFORE, in consideration of the mutual benefits accruing to each and to the State of South Carolina, the Parties agree as follows:

I. DESCRIPTION

This Agreement is for the replacement of community centers that will be affected by SCDOT's I-526 improvement project and for the construction of new sidewalks and shared-use pathways that will include pedestrian-scale lighting improvements that provide access to the new community centers from the connecting community streets. The work covered by this Agreement is a component of a larger mitigation plan for SCDOT's interstate improvement project.

II. OBLIGATIONS OF THE PARTIES

A. SCDOT WILL:

1. Identify an SCDOT employee to serve as SCDOT's Contact for City.
2. Through its normal right-of-way acquisition processes, acquire the two community centers, as applicable, and any associated real property that will be impacted by SCDOT's project. These properties are identified in Exhibit A, attached hereto and incorporated herein.
3. Acquire real property for locating a community center and pocket parks to mitigate the loss of those impacted by SCDOT's project. This property will be transferred to City from SCDOT upon acquisition by quitclaim deed. These properties are identified in Exhibit B, attached hereto and incorporated herein.
4. Secure any necessary Section 6(f) approvals required for impacts to the current community center.
5. According to the terms of the Local Public Agency (LPA) Agreement with City, incorporated herein by reference, fund the design and construction of the replacement community center, pocket parks, and shared-use paths as specified in the mitigation plan, incorporated herein by reference. This obligation also will extend to the initial equipping and furnishing of the community center. SCDOT's funding obligation is for the community center and pocket parks as outlined in the mitigation plan. City may elect to include discretionary items in the design and construction of these, but any such discretionary items will not be reimbursable by SCDOT.
6. Identify an SCDOT employee to participate in City's discussions that result in the selection of designs, plans, contractors, and consultants for the replacement community center and pocket parks.
7. Accept maintenance responsibility only for standard transportation materials, structures, and workmanship within SCDOT rights-of-way according to common local practices. For those items which will be maintained by SCDOT, SCDOT will accept maintenance responsibility after construction of the project is complete and the project is accepted by SCDOT. This will include the portions of the shared-use path that parallel State roadways.

8. Perform all services required of SCDOT in accordance with SCDOT guidelines and policies.
9. Within the limits of the South Carolina Tort Claims Act, be responsible for any loss resulting from bodily injuries (including death) or damages to property, arising out of any negligent act or negligent failure to act on SCDOT's part, or the part of any employee of SCDOT in performance of the work undertaken under this Agreement.

B. CITY WILL:

1. Become qualified through SCDOT as a Local Public Agency in order to manage the design and construction of the community center, pocket parks, and shared-use path.
2. Transfer the identified portion (see Exhibit A for further details) of the impacted community center tract to SCDOT.
3. Maintain or demolish, as appropriate, any structures and appurtenances on tracts conveyed to City from SCDOT.
4. Design and construct, through SCDOT's LPA Program, the replacement community center, two pocket parks, the shared-use path, and any sidewalks within the community center property complex or not parallel to a State maintained road.
5. Be responsible for maintenance of the community center, the pocket parks, lighting, landscaping, community entrance signs, traffic calming features (speed humps and raised crosswalks), pedestrian bridges, and portions of the shared-use path that do not parallel State roadways.
6. Develop and deliver enhanced programs and services at the community center in accordance with the mitigation plan (incorporated herein by reference).
7. Retain all records dealing with the Project for three years after the performance period of all agreements and covenants entered into for the Project. Such records shall be made available to SCDOT and FHWA upon request.
8. Comply with the audit requirements of 2 CFR 200, Subpart F.
9. Within the limitations of the South Carolina Tort Claims Act, be responsible for any loss resulting from bodily injuries (including death) or damages to property arising out of any negligent act or negligent failure to act on City's

part, or the part of any employee of City in performance of the work undertaken under this Agreement.

III. GENERAL TERMS

- A. This Agreement shall take effect upon its execution and shall terminate upon the earlier of: written notification for cause from one Party to the other, or satisfaction of all terms and conditions of this Agreement.
- B. The Parties hereto agree to conform to all applicable SCDOT policies, all State, Federal, and local laws, rules, regulations, and ordinances governing agreements or contracts relative to the acquisition, design, construction, maintenance, and repair of roads and bridges, and other services covered under this Agreement.
- C. The Parties, or their authorized agents, shall agree to hold consultations with each other as may be necessary with regard to the execution of supplements, modifications, or amendments to this Agreement during the course of the Project for the purpose of resolving any unforeseen issues that may arise or items that may have been unintentionally omitted from this Agreement. Such supplements, modifications, or amendments shall be subject to the approval and proper execution of the Parties hereto. No supplement, modification, or amendment to this Agreement shall be effective or binding on any Party hereto unless such supplement, modification, or amendment has been agreed to in writing by the Parties hereto.
- D. Any and all reviews and approvals required of the Parties herein shall not be unreasonably denied, delayed, or withheld.
- E. No waiver of any event of default by a Party hereunder shall be implied from any delay or omission by the other Party to take action on account of such event of default, and no express waiver shall affect any event of default other than the event of default specified in the waiver and it shall be operative only for the time and to the extent therein stated. Waivers of any covenants, terms, or conditions contained herein must be in writing and shall not be construed as a waiver of any subsequent or other breach of the same covenant, term, or condition. The consent or approval by a Party of any act by the other requiring further consent or approval shall not be deemed to waive or render unnecessary the consent or approval to or of any subsequent or similar act. No single or partial exercise of any right or remedy of a Party hereunder shall preclude any further exercise thereof or the exercise of any other or different right or remedy.
- F. In the event a dispute or claim in connection with this Agreement shall arise between the Parties, the Parties shall meet in good faith and attempt to resolve any issues prior to taking legal or equitable action. Any lawsuit arising out of or relating to this Agreement shall be filed for non-jury proceedings in Charleston County.
- G. All notices and other correspondence will be officially delivered as follows:

As to SCDOT:
Deputy Secretary of Engineering
South Carolina Department of Transportation
955 Park Street
Columbia, South Carolina 29202-0191

As to City:
Ray Anderson
Assistant to the Mayor
City of North Charleston
2500 City Hall Lane
North Charleston, South Carolina 29406

- H. The Parties each bind themselves, their respective successors, executors, administrators, and assigns to the other Party with respect to these requirements, and also agree that no Party shall assign, sublet, or transfer its respective interest in this Agreement without the written consent of the other.
- I. This Agreement is made and entered into for the sole protection and benefit of SCDOT, City, and their respective successors and assigns. No other persons, firms, entities, or parties shall have any rights or standing to assert any rights under this Agreement in any manner.
- J. Invalidation of any one or more of the provisions of this Agreement by a court of competent jurisdiction shall in no way affect any of the other provisions herein, all of which shall remain in full force and effect.
- K. This Agreement may be executed and delivered in counterparts, and if so executed, shall become effective when a counterpart has been executed and delivered by all Parties hereto. All counterparts taken together shall constitute one and the same Agreement and shall be fully enforceable as such. Delivery of counterparts via facsimile transmission or via email with scanned attachment shall be effective as if originals thereof were delivered.
- L. By executing this Agreement, the undersigned each affirm and certify that he or she has the authority to bind his or her principal thereto and that all necessary acts have been taken to duly authorize this Agreement under applicable law.
- M. This Agreement with attached Exhibits and Certifications constitutes the entire Agreement between the Parties. This Agreement is to be interpreted under the laws of the State of South Carolina.

[Signature blocks on next page]

IN WITNESS WHEREOF, the Parties have caused this Agreement to be executed on their behalf

SIGNED, SEALED, AND DELIVERED
IN THE PRESENCE OF

CITY OF NORTH CHARLESTON

Raymond H. Cusack
Witness

By: R. Keith Summey
R. KEITH SUMMEY
MAYOR
Title

SOUTH CAROLINA DEPARTMENT OF
TRANSPORTATION

C. Howell
Witness

By: Chris Hall
Secretary of Transportation

RECOMMENDED BY:

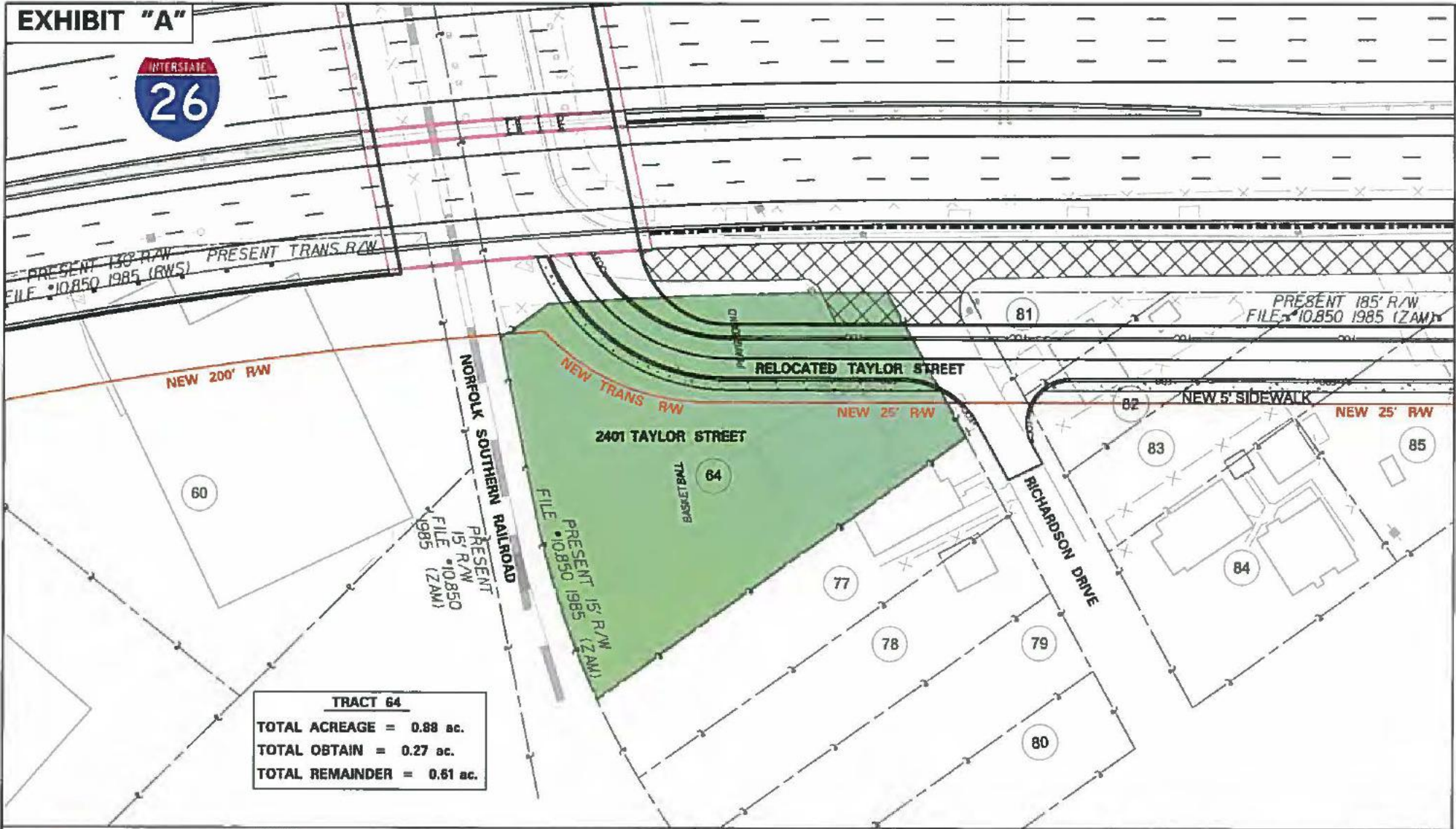
Justin Powell
Deputy Secretary for Finance and Administration

Lehal
Deputy Secretary for Engineering

EXHIBIT A

HT Community Center Property RW Exhibit Map

EXHIBIT "A"



TRACT 64	
TOTAL ACREAGE =	0.88 ac.
TOTAL OBTAIN =	0.27 ac.
TOTAL REMAINDER =	0.61 ac.

LEGEND	
	NEW EDGE OF TRAVELWAY
	NEW BRIDGE STRUCTURE
	NEW RIGHT OF WAY
	EXISTING RIGHT OF WAY
	EXISTING PROPERTY LINE
	COMMUNITY CENTER PARCEL



**I-526 LOWCOUNTRY CORRIDOR
CONCEPTUAL IMPROVEMENTS AT
2401 TAYLOR STREET
HIGHLAND TERRACE COMMUNITY CENTER**

EXHIBIT B
Anderson Tract Property Map

June 18, 2019

Joseph E. Wilkinson
Review Coordinator for Transportation Projects
State Historic Preservation Office
South Carolina Department of Archives & History
8301 Parklane Road
Columbia, South Carolina 29223-4905

RECEIVED

JUN 20 2019
2019-UB-20

JUL 22 2019

Environmental Management
SCDOT

Re: ***Brockington and Associates' 1.) Cultural Resource Survey of the I-526 Corridor Improvements Project & 2.) Cultural Resource Survey of the I-526 Lowcountry Corridor West Project—Addendum Report, Charleston County, SCDOT PIN P027507***

Dear Mr. Wilkinson:

The SCDOT proposes to improve I-526 from SC Route (SC-) 461 (Paul Cantrell Boulevard) to the SC-61 Spur (Glenn McConnell Parkway). Improvements along I-26 extend from West Montague Avenue west to Remount Road. The project may include adding a travel lane in each direction along I-526; interchange improvements at Leeds Avenue, SC-642 (Dorchester Road), West Montague Avenue, International Boulevard, and Paul Cantrell Boulevard; and the system-to-system connections at Glenn McConnell Parkway, I-26, and Rivers Avenue. Interchange improvements along I-26 may include West Montague Avenue. Improvements are also to be evaluated along Paul Cantrell Boulevard from S- 10-1373 (Tobias Gadson Boulevard) to Charlie Hall Boulevard. This segment of Paul Cantrell Boulevard includes the intersection of S-10-1863 (Magwood Drive), which will be evaluated for a grade separation to accommodate future traffic volumes.

The two cultural resources reports referenced above cover the full Area of Potential Effect (APE) for the proposed project. This correspondence addresses the combined results of those two reports and therefore the entirety of the project APE. The purpose of this correspondence is only to establish National Register of Historic Places (NRHP) eligibility for cultural resources documented as part of the subject surveys. Additional Section 106 coordination to determine project effects upon cultural resources will be initiated when a preferred alignment for the project is developed.

Archaeological investigations for the project revisited one (1) previously identified archaeological site (38CH17) and identified one new site (38CH2523). Neither of these sites is recommended eligible for the NRHP. Underwater archaeological survey was also conducted within the project APE, and two anomalies (006-1 and 010-1) were identified. Anomaly 006-1 is recommended eligible for the NRHP. Anomaly 010-1 is recommended as not eligible for the NRHP.

The historic architectural survey identified several survey-eligible neighborhoods, individual resources, and landscape features within the APE (refer to attached reports for specifics). Only one (1) aboveground resource identified in the studies (site 7806, Bethune Elementary) is recommended eligible for the NRHP. Other aboveground resources documented in the reports are recommended (or previously recommended) as NRHP-eligible but do not fall within the project APE as currently defined.



Please provide your concurrence with or comment on the eligibility findings of the two subject reports.

In accordance the memorandum of agreement approved by the Federal Highway Administration (FHWA), November 29, 2011, SCDOT is providing this information as agency official designee, as defined under 36 CFR 800.2, to ensure compliance with Section 106 of the National Historic Preservation Act.

It is requested that you review the enclosed material and, if appropriate, indicate your concurrence with SCDOT findings. Please respond within 30 days if you have any objections or if you have need of additional information.

Sincerely,



David P. Kelly
NEPA Coordinator, RPG 4

DPK:dk

Enclosures: Cultural resources reports, aboveground survey forms, photographs

I ~~(do not)~~ concur in the above determinations.

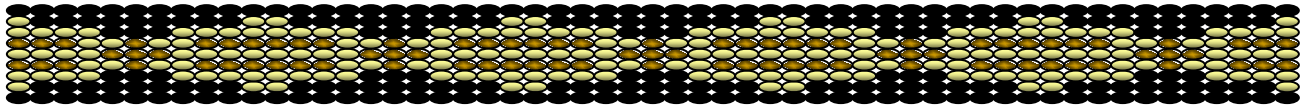
Signed: Wenonah G. Haire, THPO Date: 6/26/19

cc: Shane Belcher, FHWA
LeeAnne Wendt, Muscogee (Creek) Nation
Brett Barnes, Eastern Shawnee

cc: Wenonah G. Haire, Catawba Nation THPO
Keith Derting, SCIAA

Page 2-
Brockington and Associates'
1.) Cultural Resource Survey of the I-526 Corridor Improvements Project
& 2.) Cultural Resource Survey of the I-526 Lowcountry Corridor West Project—Addendum Report,
Charleston County, SCDOT PIN P027507





Catawba Indian Nation
Tribal Historic Preservation Office
1536 Tom Steven Road
Rock Hill, South Carolina 29730

Office 803-328-2427
Fax 803-328-5791

August 25, 2020

Attention: Tracy Martin
SCDOT
P.O. Box 191
Columbia, SC 29202

Re. THPO #	TCNS #	Project Description
2020-66-22		Partial Land Conversion on the Proposed I-526 West Lowcountry Corridor Improvements EIS in Charleston Co., SC

Dear Ms. Martin,

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.**

If you have questions please contact Caitlin Rogers at 803-328-2427 ext. 226, or e-mail Caitlin.Rogers@catawba.com.

Sincerely,

Wenonah G. Haire
Tribal Historic Preservation Officer



U.S. Department
of Transportation
**Federal Highway
Administration**

South Carolina

March 29, 2019

1835 Assembly Street, Suite 1270
Columbia, South Carolina 29201
803-765-5411
803-253-3989

In Reply Refer To:
HDA-SC

Mr. Brett Barnes
Tribal Historic Preservation Officer
Eastern Shawnee Tribe of OK
127 W. Oneida St.
Seneca, MO 64865

Subject: Invitation to Become a Participating Agency for the Preparation of an Environmental Impact Statement (EIS) for the Proposed I-526 West Lowcountry Corridor Improvements Project in Charleston County, South Carolina; Federal Project Number P027507

Dear Mr. Barnes:

The Federal Highway Administration (FHWA), in cooperation with the South Carolina Department of Transportation (SCDOT), is preparing an Environmental Impact Statement (EIS) for the I-526 West Lowcountry Corridor Improvements Project. The proposed project would make improvements to the I-526 corridor from Virginia Avenue to Paul Cantrell Boulevard in Charleston County, South Carolina. The purpose of the proposed project is to increase capacity and improve operations at the I-26/526 interchange and along the I-526 mainline from Virginia Avenue to Paul Cantrell Boulevard (see study area map on enclosed project information sheet). The Ashley River bridge crossing would be widened to accommodate the improvements on the I-526 mainline. Since this is a major infrastructure project that is starting after August 15, 2017, it will adhere to the One Federal Decision guidance and tracked on the federal permitting dashboard.

Pursuant to Section 6002 of SAFETEA-LU, as amended by Section 1304 of the Fixing America's Surface Transportation (FAST) Act, cooperating and participating agencies are responsible for identifying, as early as possible, any issues of concern regarding the project's potential environmental, social, or economic impacts. Section 6002 is intended to assure that agencies are fully engaged in the scoping of the project and the decisions regarding alternatives to be evaluated in detail in the NEPA analysis. In accordance with the SAFETEA-LU Section 6002, FHWA is in the process of identifying local, state, and federal agencies that may have an interest in the project. This same guidance is in the Memorandum of Understanding for Implementing One Federal Decision (issued April 9, 2018), as well as the One Federal Decision Working Agreement.

The FHWA would like to take this opportunity to formally invite you to become a Participating Agency in the development of the EIS. Areas of concern to be emphasized in the EIS will include potential environmental impacts upon existing ecological resources, wetlands, water resources,

historic and archaeological resources, parks and recreation facilities, noise and air, social and community character, hazardous/contaminated materials, cumulative and indirect impacts, and potential impacts due to project construction.

Your involvement in the proposed project would entail those areas under its jurisdiction or area of expertise. No direct writing or analysis by your agency will be necessary for this document unless you request to do so. We suggest that your agency's role in the development of the above project should include the following as they relate to your area of expertise:

1. Participate in coordination meetings as appropriate.
2. Consultation on any relevant technical studies that may be required for the project.
3. Timely review and comment on the environment document to reflect the views and concerns of your agency on the adequacy of the document, alternatives considered, and the anticipated impacts and mitigation.

To become a Participating Agency with the FHWA, please respond to this office in writing with an acceptance or denial of the invitation within 30 days. If you accept, please identify the appropriate contact person(s) within your organization for coordination. If your agency declines, please provide a written response that states your reason for declining the invitation, such as:

- Has no jurisdiction or authority with respect to the project;
- Has no expertise or information relevant to the project; and
- Does not intend to submit comments on the project.

If you have any questions or would like to discuss in more detail the project or each agency's respective roles and responsibilities during the preparation of the EIS, please contact Ms. Michelle Herrell at 803-765-5460 or by email at michelle.herrell@dot.gov; or Mr. J. Shane Belcher at 803-253-3187 or by e-mail at jeffrey.belcher@dot.gov.

Sincerely,



Emily O. Lawton
Division Administrator

Enclosures

ec: Mr. Chad Long, SCDOT Environmental Division Manager
Mr. David Kelly, SCDOT RPG 1 NEPA Coordinator
Mr. Will McGoldrick, SCDOT Design-Build NEPA/Permitting Coordinator
Ms. Joy Riley, SCDOT Program Manager



U.S. Department
of Transportation
**Federal Highway
Administration**

South Carolina

March 29, 2019

1835 Assembly Street, Suite 1270
Columbia, South Carolina 29201
803-765-5411
803-253-3989

In Reply Refer To:
HDA-SC

Ms. Corain Lowe-Zepeda
Tribal Historic Preservation Officer
Muscogee (Creek) Nation of OK
1008 East Eufaula Street
Okmulgee, OK 74447

Subject: Invitation to Become a Participating Agency for the Preparation of an Environmental Impact Statement (EIS) for the Proposed I-526 West Lowcountry Corridor Improvements Project in Charleston County, South Carolina; Federal Project Number P027507

Dear Ms. Lowe-Zepeda:

The Federal Highway Administration (FHWA), in cooperation with the South Carolina Department of Transportation (SCDOT), is preparing an Environmental Impact Statement (EIS) for the I-526 West Lowcountry Corridor Improvements Project. The proposed project would make improvements to the I-526 corridor from Virginia Avenue to Paul Cantrell Boulevard in Charleston County, South Carolina. The purpose of the proposed project is to increase capacity and improve operations at the I-26/526 interchange and along the I-526 mainline from Virginia Avenue to Paul Cantrell Boulevard (see study area map on enclosed project information sheet). The Ashley River bridge crossing would be widened to accommodate the improvements on the I-526 mainline. Since this is a major infrastructure project that is starting after August 15, 2017, it will adhere to the One Federal Decision guidance and tracked on the federal permitting dashboard.

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If you have any questions or would like to discuss in more detail the project or each agency's respective roles and responsibilities during the preparation of the EIS, please contact Ms. Michelle Herrell at 803-765-5460 or by email at michelle.herrell@dot.gov; or Mr. J. Shane Belcher at 803-253-3187 or by e-mail at jeffrey.belcher@dot.gov.

Sincerely,



Emily O. Lawton
Division Administrator

Enclosures

ec: Ms. LeeAnne Wendt, Muscogee (Creek) Nation
Mr. Chad Long, SCDOT Environmental Division Manager
Mr. David Kelly, SCDOT RPG 1 NEPA Coordinator
Mr. Will McGoldrick, SCDOT Design-Build NEPA/Permitting Coordinator
Ms. Joy Riley, SCDOT Program Manager



July 27, 2020

Ms. Elizabeth Johnson
Deputy State Historic Preservation Officer
South Carolina Department of Archives and History
8301 Parklane Road
Columbia, SC 29223-4905

Subject: Cultural Resources Survey for Section 6(f)(3) Partial Land Conversion (2401 Richardson Drive) on the Proposed I-526 West Lowcountry Corridor Improvements Environmental Impact Statement (EIS) in Charleston County, South Carolina; Federal Project Number P027507

Dear Ms. Johnson:

The South Carolina Department of Transportation (the Department) seeks to convert a portion of the Highland Terrace-Liberty Park Community Center, a Land and Water Conservation Fund (LWCF) Section 6(f) resource located at 2401 Richardson Drive in North Charleston, from its current recreational use to permanent right-of-way as part of the proposed I-526 Lowcountry Corridor (LCC) WEST project. The proposed replacement property, located at 5260 Deacon Street, is shown in the attached mapping.

An Environmental Assessment (EA) is being prepared to evaluate impacts associated with replacing the impacted Section 6(f) resource. The properties at Richardson Drive and Deacon Street have been surveyed for historic resources as part of the studies conducted for the proposed I-526 LCC WEST project. The I-526 LCC WEST Cultural Resources report is attached for reference. Based on the results of background research and field survey, there are no historic resources recommended eligible for listing on the National Register of Historic Places at 2401 Richardson Drive or 5260 Deacon Street. Neither the 2401 Richardson Drive nor the 5260 Deacon Street tracts warranted archaeological survey, as soils at both tracts are defined as Urban land and located within the Filbin Creek drainage. Therefore, **no historic properties or archaeological resources would be affected** by construction of the proposed replacement recreational facilities.

In accordance with the memorandum of agreement approved by the Federal Highway Administration, March 16, 1993, the Department is providing this information as agency official designee, as defined under 36 CFR 800.2, to ensure compliance with Section 106 of the National Historic Preservation Act.





Per the terms of the Section 106 Programmatic Agreement, the Department is providing this information on behalf of the Federal Highway Administration. It is requested that you review the enclosed material and, if appropriate, indicate your concurrence with the Department's findings, thus completing the Section 106 consultation process. Please respond within 30 days if you have any objections or if you have need of additional information.

Sincerely,

Tracy Martin
Chief Archaeologist

CCL:ccl
Enclosure

I (~~do not~~) concur in the above determination.

Signed:  Date: 7/27/2020

cc: Mr. J. Shane Belcher, FHWA Environmental Coordinator
Mr. David Kelly, SCDOT RPG I NEPA Coordinator
Mr. Will McGoldrick, SCDOT Design-Build Environmental Coordinator
Ms. Joy Riley, SCDOT Program Manager
Ms. LeeAnne Wendt, Muscogee (Creek) Nation
Mr. Brett Barnes, Eastern Shawnee

cc. Ms. Wenonah G. Haire, Catawba Nation
Mr. Keith Derting, SCIAA



From: [Wray, Michael](#)
To: [Wray, Michael](#)
Subject: ESA Concurrence
Date: Friday, July 31, 2020 5:24:40 PM

From: Caldwell, Mark <mark_caldwell@fws.gov>
Sent: Tuesday, July 28, 2020 2:11 PM
To: Long, Chad C. <LongCC@scdot.org>
Cc: Ledwin, Jane <jane_ledwin@fws.gov>
Subject: FW: [EXTERNAL] 526 Lowcountry Corridor 6f ESA Consultation

***** This is an EXTERNAL email. Please do not click on a link or open any attachments unless you are confident it is from a trusted source. *****

Chad,

I have no concerns with SCDOT's determination of no effect for this particular 6(f) conversion associated with the I-526 LCC project (attached).

Mark

Mark A. Caldwell
Deputy Field Supervisor
US Fish and Wildlife Service
South Atlantic-Gulf Region
South Carolina Ecological Services
176 Croghan Spur Road, Suite 200
Charleston, SC 29407
843-300-0426 (direct line)
843-870-0041 (cell)
843-300-0189 – facsimile

This email correspondence and any attachments to and from this sender is subject to the Freedom of Information Act and may be disclosed to third parties.

From: Long, Chad C. <LongCC@scdot.org>
Sent: Tuesday, July 28, 2020 1:49 PM
To: Caldwell, Mark <mark_caldwell@fws.gov>
Cc: Belcher, Jeffery - FHWA <Jeffrey.Belcher@dot.gov>
Subject: [EXTERNAL] 526 Lowcountry Corridor 6f ESA Consultation

This email has been received from outside of DOI - Use caution before clicking on links,

opening attachments, or responding.

Mark,

We are preparing an environmental assessment for the proposed Section 6(f) conversion associated with the 526 WEST Lowcountry Corridor project. Our consultant recently conducted an endangered species survey for the proposed community center replacement property (see attached).

Please review and let me know if you have any comments/questions regarding the “no effect” determination.

Regards,

Chad C. Long | Director
Environmental Services Office
South Carolina Department of Transportation
955 Park Street | Room 509
Columbia, South Carolina 29201
Phone 803.737.1396 (office) | 803.420.8115 (mobile)



Safety 1st – Live By It!
Let 'em Work, Let 'em Live!



July 27, 2020

Ms. Elizabeth Johnson
Deputy State Historic Preservation Officer
South Carolina Department of Archives and History
8301 Parklane Road
Columbia, SC 29223-4905

Subject: Cultural Resources Survey for Section 6(f)(3) Partial Land Conversion (2401 Richardson Drive) on the Proposed I-526 West Lowcountry Corridor Improvements Environmental Impact Statement (EIS) in Charleston County, South Carolina; Federal Project Number P027507

Dear Ms. Johnson:

The South Carolina Department of Transportation (the Department) seeks to convert a portion of the Highland Terrace-Liberty Park Community Center, a Land and Water Conservation Fund (LWCF) Section 6(f) resource located at 2401 Richardson Drive in North Charleston, from its current recreational use to permanent right-of-way as part of the proposed I-526 Lowcountry Corridor (LCC) WEST project. The proposed replacement property, located at 5260 Deacon Street, is shown in the attached mapping.

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Sincerely,

Tracy Martin
Chief Archaeologist

CCL:ccl
Enclosure

I (~~do not~~) concur in the above determination.

Signed:  Date: 7/27/2020

cc: Mr. J. Shane Belcher, FHWA Environmental Coordinator
Mr. David Kelly, SCDOT RPG I NEPA Coordinator
Mr. Will McGoldrick, SCDOT Design-Build Environmental Coordinator
Ms. Joy Riley, SCDOT Program Manager
Ms. LeeAnne Wendt, Muscogee (Creek) Nation
Mr. Brett Barnes, Eastern Shawnee

cc. Ms. Wenonah G. Haire, Catawba Nation
Mr. Keith Derting, SCIAA



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Mark A. Caldwell
Deputy Field Supervisor
US Fish and Wildlife Service
South Atlantic-Gulf Region
South Carolina Ecological Services
176 Croghan Spur Road, Suite 200
Charleston, SC 29407
843-300-0426 (direct line)
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Regards,

Chad C. Long | Director
Environmental Services Office
South Carolina Department of Transportation
955 Park Street | Room 509
Columbia, South Carolina 29201
Phone 803.737.1396 (office) | 803.420.8115 (mobile)



Safety 1st – Live By It!
Let 'em Work, Let 'em Live!

From: [Belcher, Jeffrey \(FHWA\)](#)
To: [Kelly, David P. \(KellyDP@scdot.org\)](#); [Herrell, Michelle \(FHWA\)](#)
Cc: [Heather Robbins](#)
Subject: FW: Consulting Party for I-526 West and US 278
Date: Monday, May 6, 2019 7:18:35 AM

For your files. Since the Catawba Indian Nation did not provide a letter please keep this e-mail for your official record for both projects.

Thanks,

J. Shane Belcher

Environmental Coordinator

Federal Highway Administration

1835 Assembly Street, Suite 1270

Columbia, SC 29201

Phone: 803-253-3187

Fax: 803-253-3989

From: Caitlin Rogers [mailto:caitlinh@ccppcrafts.com]

Sent: Friday, May 03, 2019 2:35 PM

To: Belcher, Jeffrey (FHWA) <Jeffrey.Belcher@dot.gov>

Subject: Consulting Party

Mr. Belcher,

The Catawba wish to be a consulting party for the Proposed I-526 West Lowcountry Corridor Improvements and the Proposed US 278 Corridor Improvements. If you need anything else from us let me know. Thanks

Caitlin

--

Caitlin Rogers
Catawba Indian Nation
Tribal Historic Preservation Office
1536 Tom Steven Road
Rock Hill, SC 29730

803-328-2427 ext. 226
Caitlinh@ccppcrafts.com

Please Note: We CANNOT accept Section 106 forms via e-mail, unless requested. Please send us hard copies. Thank you for your understanding



U.S. Department
of Transportation
**Federal Highway
Administration**

South Carolina

March 29, 2019

1835 Assembly Street, Suite 1270
Columbia, South Carolina 29201
803-765-5411
803-253-3989

In Reply Refer To:
HDA-SC

Ms. Wenonah Haire
Tribal Historic Preservation Officer
Catawba Indian Nation
1536 Tom Steven Road
Rock Hill, SC 29730

Subject: Invitation to Become a Participating Agency for the Preparation of an Environmental Impact Statement (EIS) for the Proposed I-526 West Lowcountry Corridor Improvements Project in Charleston County, South Carolina; Federal Project Number P027507

Dear Ms. Haire:

The Federal Highway Administration (FHWA), in cooperation with the South Carolina Department of Transportation (SCDOT), is preparing an Environmental Impact Statement (EIS) for the I-526 West Lowcountry Corridor Improvements Project. The proposed project would make improvements to the I-526 corridor from Virginia Avenue to Paul Cantrell Boulevard in Charleston County, South Carolina. The purpose of the proposed project is to increase capacity and improve operations at the I-26/526 interchange and along the I-526 mainline from Virginia Avenue to Paul Cantrell Boulevard (see study area map on enclosed project information sheet). The Ashley River bridge crossing would be widened to accommodate the improvements on the I-526 mainline. Since this is a major infrastructure project that is starting after August 15, 2017, it will adhere to the One Federal Decision guidance and tracked on the federal permitting dashboard.

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The FHWA would like to take this opportunity to formally invite you to become a Participating Agency in the development of the EIS. Areas of concern to be emphasized in the EIS will include potential environmental impacts upon existing ecological resources, wetlands, water resources,

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1. Participate in coordination meetings as appropriate.
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Sincerely,



Emily O. Lawton
Division Administrator

Enclosures

ec: Ms. Caitlin Totherow, Catawba Indian Nation
Mr. Chad Long, SCDOT Environmental Division Manager
Mr. David Kelly, SCDOT RPG 1 NEPA Coordinator
Mr. Will McGoldrick, SCDOT Design-Build NEPA/Permitting Coordinator
Ms. Joy Riley, SCDOT Program Manager

June 18, 2019

Joseph E. Wilkinson
Review Coordinator for Transportation Projects
State Historic Preservation Office
South Carolina Department of Archives & History
8301 Parklane Road
Columbia, South Carolina 29223-4905

RECEIVED

JUN 20 2019
2019-UB-20

JUL 22 2019

Environmental Management
SCDOT

Re: ***Brockington and Associates' 1.) Cultural Resource Survey of the I-526 Corridor Improvements Project & 2.) Cultural Resource Survey of the I-526 Lowcountry Corridor West Project—Addendum Report, Charleston County, SCDOT PIN P027507***

Dear Mr. Wilkinson:

The SCDOT proposes to improve I-526 from SC Route (SC-) 461 (Paul Cantrell Boulevard) to the SC-61 Spur (Glenn McConnell Parkway). Improvements along I-26 extend from West Montague Avenue west to Remount Road. The project may include adding a travel lane in each direction along I-526; interchange improvements at Leeds Avenue, SC-642 (Dorchester Road), West Montague Avenue, International Boulevard, and Paul Cantrell Boulevard; and the system-to-system connections at Glenn McConnell Parkway, I-26, and Rivers Avenue. Interchange improvements along I-26 may include West Montague Avenue. Improvements are also to be evaluated along Paul Cantrell Boulevard from S- 10-1373 (Tobias Gadson Boulevard) to Charlie Hall Boulevard. This segment of Paul Cantrell Boulevard includes the intersection of S-10-1863 (Magwood Drive), which will be evaluated for a grade separation to accommodate future traffic volumes.

The two cultural resources reports referenced above cover the full Area of Potential Effect (APE) for the proposed project. This correspondence addresses the combined results of those two reports and therefore the entirety of the project APE. The purpose of this correspondence is only to establish National Register of Historic Places (NRHP) eligibility for cultural resources documented as part of the subject surveys. Additional Section 106 coordination to determine project effects upon cultural resources will be initiated when a preferred alignment for the project is developed.

Archaeological investigations for the project revisited one (1) previously identified archaeological site (38CH17) and identified one new site (38CH2523). Neither of these sites is recommended eligible for the NRHP. Underwater archaeological survey was also conducted within the project APE, and two anomalies (006-1 and 010-1) were identified. Anomaly 006-1 is recommended eligible for the NRHP. Anomaly 010-1 is recommended as not eligible for the NRHP.

The historic architectural survey identified several survey-eligible neighborhoods, individual resources, and landscape features within the APE (refer to attached reports for specifics). Only one (1) aboveground resource identified in the studies (site 7806, Bethune Elementary) is recommended eligible for the NRHP. Other aboveground resources documented in the reports are recommended (or previously recommended) as NRHP-eligible but do not fall within the project APE as currently defined.



Please provide your concurrence with or comment on the eligibility findings of the two subject reports.

In accordance the memorandum of agreement approved by the Federal Highway Administration (FHWA), November 29, 2011, SCDOT is providing this information as agency official designee, as defined under 36 CFR 800.2, to ensure compliance with Section 106 of the National Historic Preservation Act.

It is requested that you review the enclosed material and, if appropriate, indicate your concurrence with SCDOT findings. Please respond within 30 days if you have any objections or if you have need of additional information.

Sincerely,



David P. Kelly
NEPA Coordinator, RPG 4

DPK:dk

Enclosures: Cultural resources reports, aboveground survey forms, photographs

I ~~(do not)~~ concur in the above determinations.

Signed: Wenonah G. Haire, THPO Date: 6/26/19

cc: Shane Belcher, FHWA
LeeAnne Wendt, Muscogee (Creek) Nation
Brett Barnes, Eastern Shawnee

cc: Wenonah G. Haire, Catawba Nation THPO
Keith Derting, SCIAA

Page 2-
Brockington and Associates'
1.) Cultural Resource Survey of the I-526 Corridor Improvements Project
& 2.) Cultural Resource Survey of the I-526 Lowcountry Corridor West Project—Addendum Report,
Charleston County, SCDOT PIN P027507





U.S. Department
of Transportation
**Federal Highway
Administration**

South Carolina

March 29, 2019

1835 Assembly Street, Suite 1270
Columbia, South Carolina 29201
803-765-5411
803-253-3989

In Reply Refer To:
HDA-SC

Mr. Brett Barnes
Tribal Historic Preservation Officer
Eastern Shawnee Tribe of OK
127 W. Oneida St.
Seneca, MO 64865

Subject: Invitation to Become a Participating Agency for the Preparation of an Environmental Impact Statement (EIS) for the Proposed I-526 West Lowcountry Corridor Improvements Project in Charleston County, South Carolina; Federal Project Number P027507

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The FHWA would like to take this opportunity to formally invite you to become a Participating Agency in the development of the EIS. Areas of concern to be emphasized in the EIS will include potential environmental impacts upon existing ecological resources, wetlands, water resources,

historic and archaeological resources, parks and recreation facilities, noise and air, social and community character, hazardous/contaminated materials, cumulative and indirect impacts, and potential impacts due to project construction.

Your involvement in the proposed project would entail those areas under its jurisdiction or area of expertise. No direct writing or analysis by your agency will be necessary for this document unless you request to do so. We suggest that your agency's role in the development of the above project should include the following as they relate to your area of expertise:

1. Participate in coordination meetings as appropriate.
2. Consultation on any relevant technical studies that may be required for the project.
3. Timely review and comment on the environment document to reflect the views and concerns of your agency on the adequacy of the document, alternatives considered, and the anticipated impacts and mitigation.

To become a Participating Agency with the FHWA, please respond to this office in writing with an acceptance or denial of the invitation within 30 days. If you accept, please identify the appropriate contact person(s) within your organization for coordination. If your agency declines, please provide a written response that states your reason for declining the invitation, such as:

- Has no jurisdiction or authority with respect to the project;
- Has no expertise or information relevant to the project; and
- Does not intend to submit comments on the project.

If you have any questions or would like to discuss in more detail the project or each agency's respective roles and responsibilities during the preparation of the EIS, please contact Ms. Michelle Herrell at 803-765-5460 or by email at michelle.herrell@dot.gov; or Mr. J. Shane Belcher at 803-253-3187 or by e-mail at jeffrey.belcher@dot.gov.

Sincerely,



Emily O. Lawton
Division Administrator

Enclosures

ec: Mr. Chad Long, SCDOT Environmental Division Manager
Mr. David Kelly, SCDOT RPG 1 NEPA Coordinator
Mr. Will McGoldrick, SCDOT Design-Build NEPA/Permitting Coordinator
Ms. Joy Riley, SCDOT Program Manager



U.S. Department
of Transportation
**Federal Highway
Administration**

South Carolina

March 29, 2019

1835 Assembly Street, Suite 1270
Columbia, South Carolina 29201
803-765-5411
803-253-3989

In Reply Refer To:
HDA-SC

Ms. Corain Lowe-Zepeda
Tribal Historic Preservation Officer
Muscogee (Creek) Nation of OK
1008 East Eufaula Street
Okmulgee, OK 74447

Subject: Invitation to Become a Participating Agency for the Preparation of an Environmental Impact Statement (EIS) for the Proposed I-526 West Lowcountry Corridor Improvements Project in Charleston County, South Carolina; Federal Project Number P027507

Dear Ms. Lowe-Zepeda:

The Federal Highway Administration (FHWA), in cooperation with the South Carolina Department of Transportation (SCDOT), is preparing an Environmental Impact Statement (EIS) for the I-526 West Lowcountry Corridor Improvements Project. The proposed project would make improvements to the I-526 corridor from Virginia Avenue to Paul Cantrell Boulevard in Charleston County, South Carolina. The purpose of the proposed project is to increase capacity and improve operations at the I-26/526 interchange and along the I-526 mainline from Virginia Avenue to Paul Cantrell Boulevard (see study area map on enclosed project information sheet). The Ashley River bridge crossing would be widened to accommodate the improvements on the I-526 mainline. Since this is a major infrastructure project that is starting after August 15, 2017, it will adhere to the One Federal Decision guidance and tracked on the federal permitting dashboard.

Pursuant to Section 6002 of SAFETEA-LU, as amended by Section 1304 of the Fixing America's Surface Transportation (FAST) Act, cooperating and participating agencies are responsible for identifying, as early as possible, any issues of concern regarding the project's potential environmental, social, or economic impacts. Section 6002 is intended to assure that agencies are fully engaged in the scoping of the project and the decisions regarding alternatives to be evaluated in detail in the NEPA analysis. In accordance with the SAFETEA-LU Section 6002, FHWA is in the process of identifying local, state, and federal agencies that may have an interest in the project. This same guidance is in the Memorandum of Understanding for Implementing One Federal Decision (issued April 9, 2018), as well as the One Federal Decision Working Agreement.

The FHWA would like to take this opportunity to formally invite you to become a Participating Agency in the development of the EIS. Areas of concern to be emphasized in the EIS will include potential environmental impacts upon existing ecological resources, wetlands, water resources,

historic and archaeological resources, parks and recreation facilities, noise and air, social and community character, hazardous/contaminated materials, cumulative and indirect impacts, and potential impacts due to project construction.

Your involvement in the proposed project would entail those areas under its jurisdiction or area of expertise. No direct writing or analysis by your agency will be necessary for this document unless you request to do so. We suggest that your agency's role in the development of the above project should include the following as they relate to your area of expertise:

1. Participate in coordination meetings as appropriate.
2. Consultation on any relevant technical studies that may be required for the project.
3. Timely review and comment on the environment document to reflect the views and concerns of your agency on the adequacy of the document, alternatives considered, and the anticipated impacts and mitigation.

To become a Participating Agency with the FHWA, please respond to this office in writing with an acceptance or denial of the invitation within 30 days. If you accept, please identify the appropriate contact person(s) within your organization for coordination. If your agency declines, please provide a written response that states your reason for declining the invitation, such as:

- Has no jurisdiction or authority with respect to the project;
- Has no expertise or information relevant to the project; and
- Does not intend to submit comments on the project.

If you have any questions or would like to discuss in more detail the project or each agency's respective roles and responsibilities during the preparation of the EIS, please contact Ms. Michelle Herrell at 803-765-5460 or by email at michelle.herrell@dot.gov; or Mr. J. Shane Belcher at 803-253-3187 or by e-mail at jeffrey.belcher@dot.gov.

Sincerely,



Emily O. Lawton
Division Administrator

Enclosures

ec: Ms. LeeAnne Wendt, Muscogee (Creek) Nation
Mr. Chad Long, SCDOT Environmental Division Manager
Mr. David Kelly, SCDOT RPG 1 NEPA Coordinator
Mr. Will McGoldrick, SCDOT Design-Build NEPA/Permitting Coordinator
Ms. Joy Riley, SCDOT Program Manager

APPENDIX B

TECHNICAL REPORTS

Proposed Section 6(f) Conversion of the Highland Terrace-Liberty Park Community Center, Biological Survey

North Charleston, SC
Prepared by Amanda Harris
July 24, 2020

THREATENED AND ENDANGERED SPECIES

Pursuant to Section 7 of the Endangered Species Act a field survey was conducted on the proposed project study area (PSA) to include the tract identified as TMS 472-110-0048 near Filbin Creek in North Charleston, SC. The following list of protected species for Charleston County was obtained from the U.S. Fish and Wildlife Service (see Appendix A). This includes endangered (E), threatened (T), proposed (P), and species protected under the Bald and Gold Eagle Protection Act (BGEPA).

ANIMALS

Frosted flatwoods salamander - *Ambystoma cingulatum* – (T)

American wood stork – *Mycteria americana* – (T)

Bachman’s warbler – *Vermivora bachmanii* – (E)

Bald eagle – *Haliaeetus leucocephalus* – (BGEPA)

Eastern black rail - *Laterallus jamaicensis jamaicensis*- (P)

Piping plover - *Charadrius melodus* – (T)

Red-cockaded woodpecker - *Picoides borealis* - (E)

Red knot - *Calidris canutus rufa* – (T)

Shortnose sturgeon – *Acipenser brevirostrum* – (E)

Atlantic sturgeon – *Acipenser oxyrinchus* – (E)

Finback whale – *Balaenoptera physalus* – (E)

Humpback whale - *Megaptera novaengliae* (E)

Northern long-eared bat - *Myotis septentrionalis* (T)

Right whale – *Balaena glacialis* (E)

Sei whale - *Balaenoptera borealis* (E)

Sperm whale - *Physeter macrocephalus* (E)

West Indian manatee - *Trichechus manatus* (T)

Green sea turtle - *Chelonia mydas* (T)

Kemp's ridley sea turtle - *Lepidochelys kempii* (E)

Leatherback sea turtle - *Dermochelys coriacea* (E)

Loggerhead sea turtle - *Caretta caretta* (T)

PLANTS

American chaffseed - *Schwalbea americana* - (E)

Canby’s dropwort - *Oxypolis canbyi* – (E)

Pondberry – *Lindera melissifolia* (E)

Seabeach amaranth – *Amaranthus pumilus* (T)

METHODS

A reconnaissance survey of the approximate 5.5-acre PSA was conducted on July 23, 2020. The project area is a residential parcel in a developed area of Charleston County, SC. Habitats surveyed were determined by the species ecological requirements. Habitat types within the study corridor include maintained herbaceous vegetation (mix of lawn grasses including *Paspalum* and *Digitaria* species). and urban pine/mixed-hardwood forests (*Liquidambar styraciflua*, *Pinus taeda*, *Ligustrum sinense*, and *Toxicodendron radicans*).

Frosted flatwoods salamander

The frosted flatwoods salamander is a small salamander containing variable coloration, ranging from dark brown to black bodies with grayish specks or lines that resemble a frosted or lichen-like reticulated pattern. Habitat consists of wet pine flatwoods and pine savannas in the southern U.S. Traditionally, habitat consisted of sandy, seasonally wet longleaf pine communities but many of these areas have been replaced with slash pine or destroyed altogether. Adult flatwood salamanders are subterranean, living mainly underground in root channels or crayfish burrows. These salamanders are typically found under logs near small cypress ponds. There is no suitable habitat for frosted flatwoods salamander within the PSA, therefore it is anticipated that the proposed project would have no effect on this species.

Frosted flatwoods salamander Biological Conclusion: **No Effect**

American Wood Stork

The American wood stork is a large wading bird that is highly colonial, usually nesting in large rookeries and feeding in flocks. The nesting season typically extends from February 15 to September 1. Wood storks are typically associated with freshwater and brackish wetlands. Most nesting colonies in the southeast are located in woody vegetation, such as bald cypress, over standing water, or on islands surrounded by open water. Foraging habitat may include freshwater marshes, flooded pastures, and flooded ditches. Foraging sites are often in areas of high fish concentrations. There is no suitable habitat for American wood stork within the PSA, therefore it is anticipated that the proposed project would have no effect on this species.

American wood stork Biological Conclusion: **No Effect**

Bachman's warbler

The Bachman's warbler is a small bird with olive-green upperparts, yellow forehead, throat, and underparts, and a faint white eye-ring and black crown and bib. The bird was last observed in the U.S. in 1962 near Charleston, South Carolina. This species of warbler is presumed to be extinct, historically occurring in the southeastern U.S. during its breeding season. Historically, the bird inhabited seasonally flooded swamp forests, especially with cane thickets and containing variable amounts of water, but usually with some permanent water. There is no suitable habitat for Bachman's warbler within the PSA, therefore it is anticipated that the proposed project would have no effect on this species.

Bachman's warbler Biological Conclusion: **No Effect**

Eastern black rail

The Eastern black rail is a small rail species that is usually grey or black-grey in color. It breeds in a wide diversity of habitats such as fresh and saline marshes, wet meadows, and savannas. Eastern black rail habitat can be tidally or non-tidally influenced, and range in salinity from salt to brackish to fresh. Its natural history is the best known in its genus due to work in temperate North America where it primarily feeds on small aquatic and terrestrial invertebrates. Suitable habitat for the black rail is not present within the PSA, therefore it is anticipated that the proposed project would have no effect on this species.

Eastern black rail Biological Conclusion: **No Effect**

Bald eagle

The bald eagle is a large raptor with a white head and dark brown body. The breeding season begins in December or January and the typical diet includes fish and some birds. Habitat for the bald eagle primarily consists of mature forest in proximity to large bodies of open water for foraging. Large dominant trees are utilized for nesting sites, typically within 1.0 mile of open water. According to SC Department of Natural Resources (SCDNR), the closest known bald eagle nesting site (N823-Y2020) is located approximately 3.25 miles north of the PSA on the Goose Creek reservoir. Suitable habitat for the bald eagle is not present within the PSA, therefore it is anticipated that the proposed project would have no effect on this species.

Bald eagle Biological Conclusion: **No Effect**

Piping plover

The piping plover is a small and stocky sparrow sized bird that is pale or sandy white with a black breast band and yellow bill and legs. Breeding birds have a prominent black collar and black band that runs across the forehead. The piping plover inhabits sandy beaches, mudflats and sandbars along rivers and lakes. In South Carolina, the piping plover occurs from August to April and generally overwinters in the southern United States from North Carolina to the Gulf of Mexico. There is no suitable habitat for piping plover within the PSA, therefore it is anticipated that the proposed project would have no effect on this species.

Piping plover Biological Conclusion: **No Effect**

Red-cockaded woodpecker

The red-cockaded woodpecker (RCW) is approximately seven inches long with a wingspan of about 15 inches. Its black cap and nape encircle large white cheek patches. The RCW typically occupies open, mature stands of southern pines, particularly longleaf pine, for foraging and nesting/roosting habitat. The RCW excavates cavities for nesting and roosting in living pine trees, aged 60 years or older, and which are contiguous with pine stands at least 30 years of age to provide foraging habitat. The foraging range of the RCW is typically no more than 0.5 miles. No pine stands greater than 60 years of age are located within the PSA and pine species in the study corridor have high basal areas. Suitable habitat for the RCW is not present within the PSA, therefore it is anticipated that the proposed project would have no effect on this species.

Red-cockaded woodpecker Biological Conclusion: **No Effect**

Red knot

The red knot is a fairly large sandpiper with a medium sized bill and rufous colored plumage in the breeding season. Red knots breed in the tundra of the high Arctic and a portion of the species spends the winter on the southeastern coast of the U.S. including South Carolina, Georgia, and Florida. South Carolina provides habitat for both migrating and wintering birds. Red knot flocks roost on inlets of barrier beaches and islands in South Carolina. Suitable habitat for red knot is not present within the PSA, therefore it is anticipated that the proposed project would have no effect on this species.

Red knot Biological Conclusion: **No Effect**

Northern long-eared bat

The northern long-eared bat is a medium-sized bat that is medium to dark brown on the back and tawny to pale-brown on the underside. The species is distinguished by its long ears. During the winter months, the northern long-eared bat can be found hibernating in caves and mines. They use areas in various sized caves or mines with constant temperatures, high humidity, and no air currents. During the summer, northern long-eared bats roost underneath bark and in cavities or in crevices of both live trees and dead trees. Individuals of the species have also been found rarely roosting in structures, like barns and sheds. Habitat conducive to seasonal occupation for northern long-eared bat is located within the PSA. The PSA contains potentially suitable summer roosting and foraging habitat for this species within forested areas. The preferred winter hibernation habitat for this species does not exist within the PSA or its immediate vicinity. While the forested areas onsite could be considered suitable habitat, the developed nature and small size of these areas is a limiting factor for the suitability of this habitat. No northern long-eared bats were identified during pedestrian field surveys and there are no known populations or hibernacula within the PSA.

Northern long-eared bat Biological Conclusion: **No Effect**

American chaff seed

American chaff seed is a perennial herbaceous plant with erect, densely hairy, unbranched stems up to 24 inches tall. The flowers are yellowish or purplish and grouped in a long terminal cluster. American chaffseed typically grows in open, moist pine flatwoods, fire-maintained pine savannas, ecotone areas between peaty wetlands and xeric sandy soils, and other open grass and sedge dominant areas. This plant is dependent on factors such as mowing, fire, and fluctuating water tables for survival. There is no suitable habitat for this species within the PSA.

American chaffseed Biological Conclusion: **No Effect**

Canby's dropwort

Canby's dropwort has been found in a variety of coastal plain habitats, including natural ponds dominated by pond cypress, grass-sedge dominated Carolina bays, wet pine savannas, shallow pineland ponds and cypress-pine swamps or sloughs. The largest populations have been found in open bays or ponds that are wet throughout most of the year but which have little or no canopy cover. There is marginal habitat available in the PSA, surrounding the small pond, however there are no open canopy areas where Canby's dropwort could occur and no specimens were documented. Surveys were conducted during the flowering period and this species was not observed.

Canby's dropwort Biological Conclusion: **No Effect**

Pondberry

Pondberry is a deciduous shrub that grows up to six feet tall and spreads by underground stolons. The leaves are ovately to elliptically shaped, thin, membranaceous and drooping and have a strong sassafras-like odor when brushed. The flowers are pale yellow and bloom in the spring before the appearance of leaves. Fruits are bright red and oval-shaped and mature in the fall. Pondberry generally occupies wetland habitats that are normally flooded or saturated during the dormant season, but infrequently flooded during the growing season for extended periods. The plant is typically associated with bottomland hardwoods in the inner coastal plain, and margins of sinks, ponds, and other depressions in the outer coastal plain. Marginally suitable habitat for pondberry exists along the margins of the pond located within the PSA. Surveys were conducted during the flowering period and this species was not observed.

Pondberry Biological Conclusion: **No Effect**

Seabeach amaranth

Seabeach amaranth is an annual herbaceous plant found on Atlantic barrier island beaches, where its primary habitat consists of overwash flats and the lower foredunes of beaches. The plant is intolerant of competition and does not occur in densely vegetated areas. The stems of seabeach amaranth are fleshy and reddish in color, while the leaves are small and round and approximately one inch in diameter. Flowering occurs in early summer, and fruits are produced in late summer. There is no suitable habitat for this species within the PSA.

Seabeach amaranth Biological Conclusion: **No Effect**

RESULTS

The only aquatic habitat observed within this site is an approximately one-half acre freshwater pond. Therefore, brackish and saltwater aquatic species were not surveyed as there is no potential habitat. These species include Atlantic sturgeon, shortnose sturgeon, finback whale, humpback whale, right whale, sei whale, sperm whale, West Indian manatee, green sea turtle, Kemp's Ridley sea turtle, leatherback sea turtle, loggerhead sea turtle.

According to the S.C. Department of Natural Resources Heritage Trust Program records, none of the federally-protected species have been documented within one mile of the proposed action (see attached report in Appendix B).

Based on the lack of suitable habitats and no observations of the listed species during the field surveys, the proposed action would not affect any threatened, endangered, or federally protected species. There is no potential to harass, harm, pursue, hunt, shoot wound, kill, trap, capture, collect, or to otherwise "Take" or attempt to "Take" any threatened or endangered species as a result of the proposed section 6(f) conversion of the Highland Terrace-Liberty Park Community Center Project.

APPENDICES

A: USFWS list of federally protected species for Charleston County

B: SC Department of Natural Resources - Natural Heritage Trust Program Report for Species of Concern near the PSA.

Appendix A:

USFWS list of federally protected species for Charleston County

CHARLESTON COUNTY

CATEGORY	COMMON NAME/STATUS	SCIENTIFIC NAME	SURVEY WINDOW/ TIME PERIOD	COMMENTS
Amphibians	Frosted flatwoods salamander (T, CH)	<i>Ambystoma cingulatum</i>	January 1-April 30	Larvae present in breeding ponds
	Gopher frog (ARS)	<i>Lithobates capito</i>	Breeding: October-March	Call survey: February-April
Birds	American wood stork (T)	<i>Mycteria americana</i>	February 15-September 1	Nesting season
	Bachman's warbler (E)	<i>Vermivora bachmanii</i>	May 1-June 15	Breeding
	Bald eagle (BGEPA)	<i>Haliaeetus leucocephalus</i>	October 1-May 15	Nesting season
	Black-capped petrel (ARS)	<i>Pterodroma hasitata</i>	April-October	Offshore water primarily
	Eastern black rail (P)	<i>Laterallus jamaicensis jamaicensis</i>	April-June	Minimum of five surveys/survey point
	Piping plover (T, CH)	<i>Charadrius melodus</i>	July 15-May 1	Migration and wintering
	Red-cockaded woodpecker (E)	<i>Picoides borealis</i>	March 1-July 31	Nesting season
	Red knot (T)	<i>Calidris canutus rufa</i>	August 1-May 31	Migration and wintering
	Saltmarsh sparrow (ARS)	<i>Ammodramus caudacuta</i>	Fall/winter	Fall/winter surveys
Crustaceans	None Found			
Fishes	Atlantic sturgeon* (E)	<i>Acipenser oxyrinchus*</i>	February 1-April 30	Spawning migration
	Shortnose sturgeon* (E)	<i>Acipenser brevirostrum*</i>	February 1-April 30	Spawning migration
Insects	Frosted elfin (ARS)	<i>Callophrys irus</i>	March - June	
	Monarch butterfly (ARS)	<i>Danaus plexippus</i>	August-December	Overwinter population departs: March-April
Mammals	Finback whale* (E)	<i>Balaenoptera physalus*</i>	November 1-April 30	Off the coast
	Humpback whale * (E)	<i>Megaptera novaengliae</i>	January 1-March 31	Migration off the coast
	Northern long-eared bat (T)	<i>Myotis septentrionalis</i>	Year round	Winter surveys not as successful
	Right whale* (E)	<i>Balaena glacialis</i>	November 1-April 30	Off the coast
	Sei whale* (E)	<i>Balaenoptera borealis</i>		
	Sperm whale* (E)	<i>Physeter macrocephalus</i>		
	Tri-colored bat (ARS)	<i>Perimyotis subflavus</i>	Year round	Found in mines and caves in the winter
West Indian manatee (T)	<i>Trichechus manatus</i>	May 1-November 15	In coastal waters	
Mollusks	None Found			

CHARLESTON COUNTY

CATEGORY	COMMON NAME/STATUS	SCIENTIFIC NAME	SURVEY WINDOW/ TIME PERIOD	COMMENTS
Plants	American chaffseed (E)	<i>Schwalbea americana</i>	May-August	1-2 months after a fire
	Boykin's lobelia (ARS)	<i>Lobelia boykinii</i>	May-July/August	
	Canby's dropwort (E)	<i>Oxypolis canbyi</i>	Mid-July-September	
	Ciliate-leaf tickseed (ARS)	<i>Coreopsis integrifolia</i>	August-November	
	Pondberry (E)	<i>Lindera melissifolia</i>	February-March	
	Seabeach amaranth (T)	<i>Amaranthus pumilus</i>	July-October	
Reptiles	Eastern diamondback rattlesnake (ARS)	<i>Crotalus adamanteus</i>	Most of the year	Peak: April-November
	Green sea turtle ** (T)	<i>Chelonia mydas</i> **	May 1-October 31	Nesting and hatching
	Kemp's ridley sea turtle ** (E)	<i>Lepidochelys kempii</i> **	May 1-October 31	In coastal waters
	Leatherback sea turtle ** (E)	<i>Dermochelys coriacea</i> **	May 1-October 31	Nesting and hatching
	Loggerhead sea turtle ** (T, CH)	<i>Caretta caretta</i> **	May 1-October 31	Nesting and hatching
	Southern hognose snake (ARS)	<i>Heterodon simus</i>	Most of the year	
	Spotted turtle (ARS)	<i>Clemmys guttata</i>	February-mid April	

* Contact National Marine Fisheries Service (NMFS) for more information on this species.

** The U.S. Fish and Wildlife Service (FWS) and NMFS share jurisdiction of this species.

ARS Species that the FWS has been petitioned to list and for which a positive 90-day finding has been issued (listing may be warranted); information is provided only for conservation actions as no Federal protections currently exist.

ARS* Species that are either former Candidate Species or are emerging conservation priority species.

BGEPA Federally protected under the Bald and Golden Eagle Protection Act

C FWS or NMFS has on file sufficient information on biological vulnerability and threat(s) to support proposals to list these species.

CH Critical Habitat

E Federally Endangered

P or P – CH Proposed for listing or critical habitat in the Federal Register

S/A Federally protected due to similarity of appearance to a listed species

T Federally Threatened

These lists should be used only as a guideline, not as the final authority. The lists include known occurrences and areas where the species has a high possibility of occurring. Records are updated as deemed necessary and may differ from earlier lists.

For a list of State endangered, threatened, and species of concern, please visit <https://www.dnr.sc.gov/species/index.html>.

Appendix B:

SCDNR – NHTP Report for Species of Concern near PSA

South Carolina Department of Natural Resources



PO Box 167
Columbia, SC 29202
(803) 734-1396
speciesreview@dnr.sc.gov

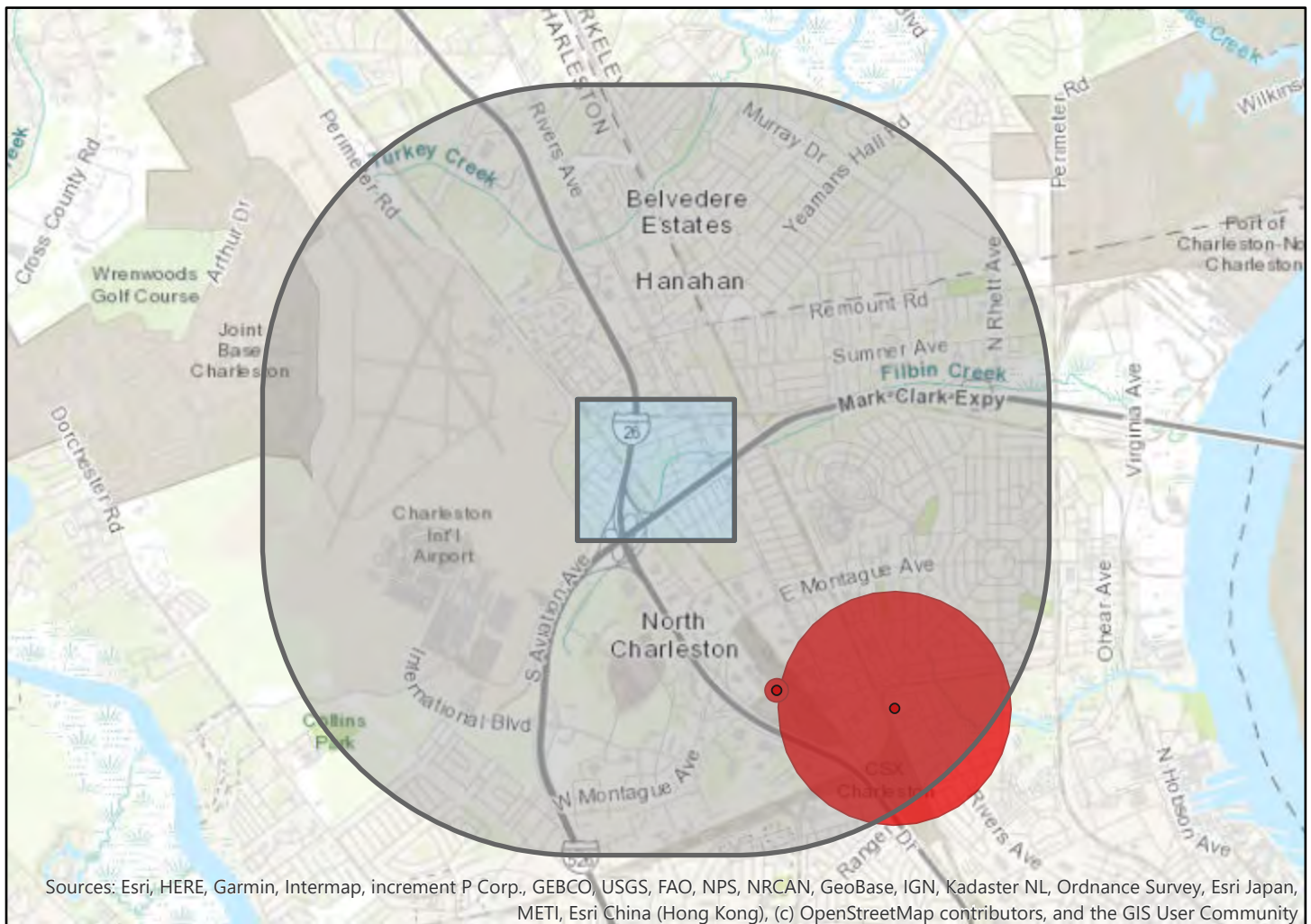
Robert H. Boyles, Jr.
Director

Emily C. Cope
Deputy Director for
Wildlife and Freshwater Fisheries

Requested on Wednesday, July 22, 2020 by Amanda Harris.

Re: Request for Threatened and Endangered Species Consultation
SCDOT - 6f Properties associated with I-526 - Development (Commercial/Residential)
Charleston County, South Carolina

The South Carolina Department of Natural Resources (SCDNR) has received your request for threatened and endangered species consultation of the above named project in Charleston County, South Carolina. The following map depicts the project area and a 2 mile buffer surrounding:



0 0.42 0.85 1.7 Miles

South Carolina Department of Natural Resources



Robert H. Boyles, Jr.

Director

Emily C. Cope
Deputy Director for
Wildlife and Freshwater Fisheries

This report includes the following items:

- A - A report for species which intersect the project area
- B - A report for species which intersect the buffer around the project area
- C - A list of best management practices relevant to species near to or within the project area
- D - A list of best management practices relevant to the project type
- E - Instructions to submit new species observation records to the SC Natural Heritage Program

The technical comments outlined in this report are submitted to speak to the general impacts of the activities as described through inquiry by parties outside the South Carolina Department of Natural Resources. These technical comments are submitted as guidance to be considered and are not submitted as final agency comments that might be related to any unspecified local, state or federal permit, certification or license applications that may be needed by any applicant or their contractors, consultants or agents presently under review or not yet made available for public review. In accordance with its policy 600.01, Comments on Projects Under Department Review, the South Carolina Department of Natural Resources, reserves the right to comment on any permit, certification or license application that may be published by any regulatory agency which may incorporate, directly or by reference, these technical comments.

Interested parties are to understand that SCDNR may provide a final agency position to regulatory agencies if any local, state or federal permit, certification or license applications may be needed by any applicant or their contractors, consultants or agents. For further information regarding comments and input from SCDNR on your project, please contact our Office of Environmental Programs by emailing environmental@dnr.sc.gov or by visiting www.dnr.sc.gov/environmental. Pursuant to Section 7 of the Endangered Species Act, requests for formal letters of concurrence with regards to federally listed species should be directed to the USFWS.

Should you have any questions or need more information, please do not hesitate to contact our office by email at speciesreview@dnr.sc.gov or by phone at 803-734-1396.

Sincerely,

A handwritten signature in black ink, appearing to read "Joseph Lemeris, Jr.", is written over a light blue horizontal line.

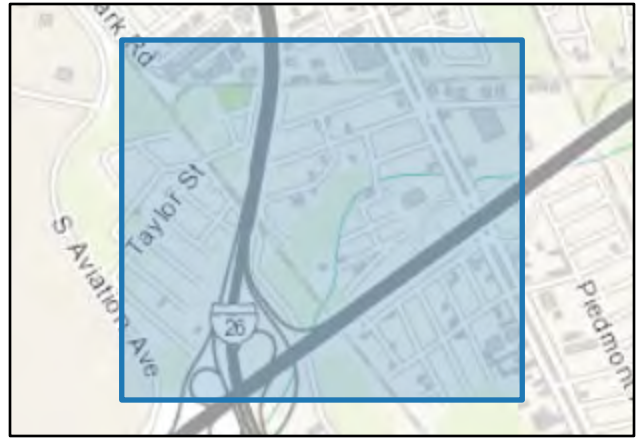
Joseph Lemeris, Jr.
Heritage Trust Program
SC Department of Natural Resources

A. Project Area - Species Report

There are 0 tracked species records found within the project foot print. The following table outlines occurrences found within the project footprint (if any), sorted by listing status and species name. Please keep in mind that this information is derived from existing databases and do not assume that it is complete. Areas not yet inventoried may contain significant species or communities. You can find more information about global and state rank status definitions by visiting Natureserve's web page. Please note that certain sensitive species found on site may be listed in this table but are not represented on the map. Please contact speciesreview@dnr.sc.gov should you have further questions related to sensitive species found within the project area.



Map Credits: Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community



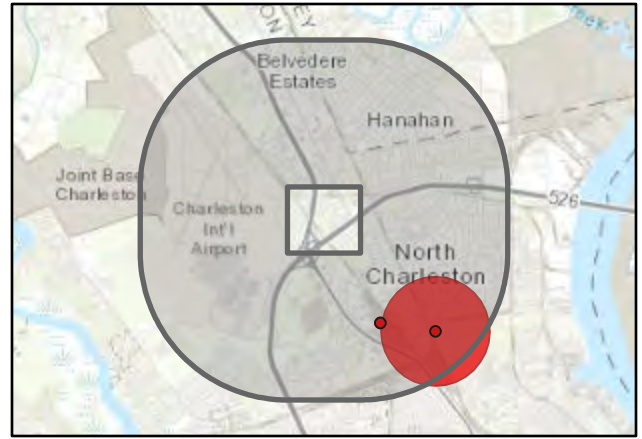
No records for species of concern are found within the project area

B. Buffer Area - Species Report

The following table outlines rare, threatened or endangered species found within 2 miles of the project footprint, arranged in order of protection status and species name. Please keep in mind that this information is derived from existing databases and do not assume that it is complete. Areas not yet inventoried may contain significant species or communities. You can find more information about global and state rank status definitions by visiting Natureserve's web page. Please note that certain sensitive species found within the buffer area may be listed in this table but are not represented on the map.



Map Credits: Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community



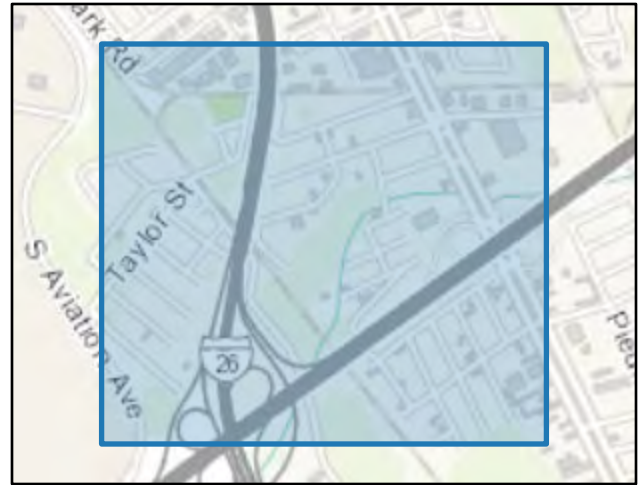
Species	Conservation Status	State Rank	Federal Rank	Global Rank	State Rank	Conservation Status	Effective Date
Tiger Salamander	☠	Not Applicable	Not Applicable	G5	S2S3	Highest	1933-02-01
Least Tern	☠	Not Applicable	ST: State Threatened	G4	S2	Highest	2000

C. Species Best Management Practices (1 of 1)

SCDNR offers the following comments and best management practices (BMPs) regarding this project's potential impacts to species of concern which may be found on or near to the project area. Please contact speciesreview@dnr.sc.gov should you have further questions with regard to survey methods, consultation, or other species-related concerns.



Map Credits: Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community



Cavity- and tree-roosting bat species including the federally threatened northern long-eared bat (*Myotis septentrionalis*), state-endangered Rafinesque's big-eared bat (*Corynorhinus rafinesquii*), and the federally at-risk tricolored bat (*Perimyotis subflavus*) have been known to occur in the county of the proposed site. As a conservation measure, it is recommended that any tree clearing activities be conducted during the inactive season for Northern long-eared bat (November 15th through March 31st) to avoid negative impacts to the species. If any of the above species are found on-site, please contact the USFWS and SCDNR.

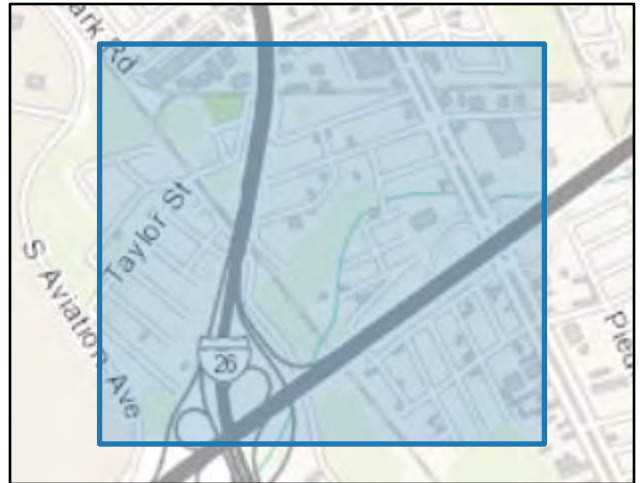
Species in the above table with SWAP priorities of High, Highest or Moderate are designated as having conservation priority under the South Carolina State Wildlife Action Plan (SWAP). SWAP species are those species of greatest conservation need not traditionally covered under any federal funded programs. Species are listed in the SWAP because they are rare or designated as at-risk due to knowledge deficiencies; species common in South Carolina but listed rare or declining elsewhere; or species that serve as indicators of detrimental environmental conditions. SCDNR recommends that appropriate measures should be taken to minimize or avoid impacts to the aforementioned species of concern.

D. Project Best Management Practices (1 of 2)

SCDNR offers the following comments and best management practices (BMPs) regarding this project's potential impacts to natural resources within or surrounding the project area. Please contact our Office of Environmental Programs at environmental@dnr.sc.gov should you have further questions with regard to best management practices related to this project area.



Map Credits: Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community



Review of available data, National Wetlands Inventory and hydric soils, indicate that wetlands or waters of the United States are present within your project area. These areas may require a permit from the U.S. Army Corps of Engineers (USACE), as well as a compensatory mitigation plan. SCDNR advises that you consult with the USACE Regulatory to determine if jurisdictional wetlands are present and if a permit and mitigation is required for any activities impacting these areas. For more information, please visit their website at www.sac.usace.army.mil/Missions/Regulatory. Additionally, a 401 Water Quality Certification may also be required from the SC Department of Health & Environmental Control. For more information, please visit their website at <https://www.scdhec.gov/environment/water-quality/water-quality-certification-section-401-clean-water-act>.

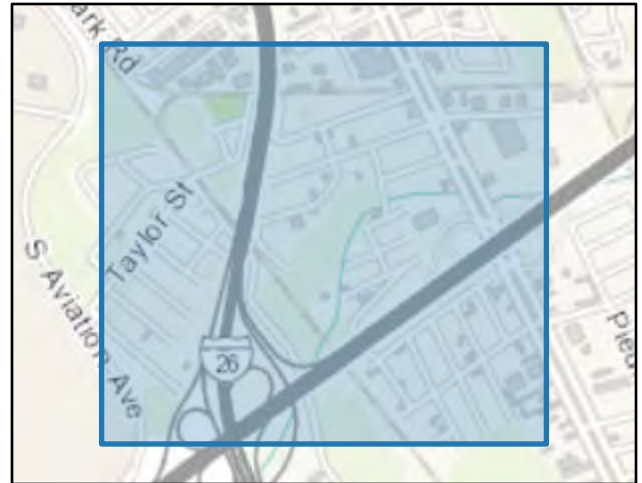
- All necessary measures must be taken to prevent oil, tar, trash and other pollutants from entering the adjacent offsite areas/wetlands/water.
 - Once the project is initiated, it must be carried to completion in an expeditious manner to minimize the period of disturbance to the environment.
 - Upon project completion, all disturbed areas must be permanently stabilized with vegetative cover (preferable), riprap or other erosion control methods as appropriate.
 - The project must be in compliance with any applicable floodplain, stormwater, land disturbance, shoreline management guidance or riparian buffer ordinances.
 - Prior to beginning any land disturbing activity, appropriate erosion and siltation control measures (e.g. silt fences or barriers) must be in place and maintained in a functioning capacity until the area is permanently stabilized.
 - Materials used for erosion control (e.g., hay bales or straw mulch) will be certified as weed free by the supplier.
 - Inspecting and ensuring the maintenance of temporary erosion control measures at least:
 - a. on a daily basis in areas of active construction or equipment operation;
 - b. on a weekly basis in areas with no construction or equipment operation; and
 - c. within 24 hours of each 0.5 inch of rainfall.
 - Ensuring the repair of all ineffective temporary erosion control measures within 24 hours of identification, or as soon as conditions allow if compliance with this time frame would result in greater environmental impacts.
 - Land disturbing activities must avoid encroachment into any wetland areas (outside the permitted impact area). Wetlands that are unavoidably impacted must be appropriately mitigated.
 - Your project may require a Stormwater Permit from the SC Department of Health & Environmental Control, please visit <https://www.scdhec.gov/environment/water-quality/stormwater>
-
- If clearing must occur, riparian vegetation within wetlands and waters of the U.S. must be conducted manually and low growing, woody vegetation and shrubs must be left intact to maintain bank stability and reduce erosion.
 - Construction activities must avoid and minimize, to the greatest extent practicable, disturbance of woody shoreline vegetation within the project area. Removal of vegetation should be limited to only what is necessary for construction of the proposed structures.
 - Where necessary to remove vegetation, supplemental plantings should be installed following completion of the project. These plantings should consist of appropriate native species for this ecoregion.

D. Project Best Management Practices (2 of 2)

SCDNR offers the following comments and best management practices (BMPs) regarding this project's potential impacts to natural resources within or surrounding the project area. Please contact our Office of Environmental Programs at environmental@dnr.sc.gov should you have further questions with regard to best management practices related to this project area.



Map Credits: Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community

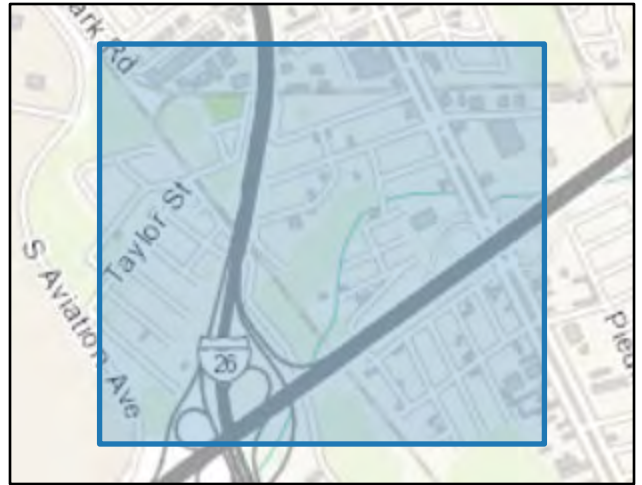


- Residential and commercial development has grown exponentially in recent years. Activities associated with these developments can have detrimental impacts on wildlife and aquatic resources such as habitat fragmentation, loss of available habitats and pollution, especially stormwater pollution. The result of these impacts causes the displacement of species and increases wildlife and human interactions. However, properly planned and sited development activities may allow for economic expansion with minimal negative impacts.
- Where appropriate, particularly adjacent to wetlands and water bodies, drainage plans and construction measures for residential and commercial development should be designed to control erosion and sedimentation, water quality degradation and other negative impacts on adjacent water and wetlands utilizing the best available design research. Developers proposing development activities should contact and work closely with local community development planning entities.
- Developments should be planned where growth is most compatible with natural resources utilizing residential and commercial cluster development methods, maximizing green spaces which can both be beneficial to protect natural resources and provide recreational opportunities for outdoor enthusiasts.
- Developments should be designed and constructed to avoid impact to wetland and stream areas whenever possible and to minimize unavoidable wetland and stream impacts to the maximum extent possible. Aquatic habitats and other sensitive natural areas should be identified in the initial planning stages of the project and incorporated in their natural state into the overall development plan.
- Developments should be designed to maintain the integrity and contiguity of wetland and stream systems and their associated riparian corridors, including the establishment of protective upland buffers around and between undisturbed aquatic systems whenever possible. Projects should be designed to minimize habitat fragmentation, including the construction of a limited number of road and utility crossings through streams and wetlands.
- Your project boundary lies within a coastal county in South Carolina which means you may also need a Coastal Zone Consistency Certification for your project from the SC Department of Health and Environmental Control. For more information, visit: <https://www.scdhec.gov/environment/your-water-coast/ocean-coastal-management/beach-management/coastal-permits/coastal-zone>
- If your project could affect coastal waters, tidelands, beaches and beach/dune systems, you may also need a critical area permit from the SC Department of Health and Environmental Control. For more information, visit: <https://www.scdhec.gov/environment/your-water-coast/ocean-coastal-management/beach-management/coastal-permits/critical-1>

E. Instructions for Submitting Species Observations

The SC Natural Heritage Dataset relies on continuous monitoring and surveying for species of concern throughout the state. Any records of species of concern found within this project area would greatly benefit the quality and comprehensiveness of the statewide dataset for rare, threatened and endangered species. Below are instructions for how to download the SC Natural Heritage Occurrence Reporting Form through the Survey123 App.

Map Credits: Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community



Instructions for accessing the SC Natural Heritage Occurrence Reporting Form

For use in a browser (on your desktop/PC):

- 1) Follow <https://bit.ly/sc-spp-obs-form>.
- 2) Select 'Open in browser'
- 3) The form will open and you can begin entering data!

This method of access will also work on a browser on a mobile device, but only when connected to the internet. To use the form in the field without relying on data/internet access, follow the steps below.

For use on a smartphone or tablet using the field app:

- 1) Download the Survey123 App from the Google Play store or the Apple Store. This app is free to download. Allow the app to use your location.
- 2) No need to sign in. However, you will need to provide the app with our Heritage Trust GIS portal web address. You will only need to do this once: (this is a known bug with ESRI's software, and future releases of the form should not require the below steps. Bear with us in the meantime!).
 - a. Tap 'Sign in'
 - b. Tap the settings (gear symbol) in the upper right corner
 - c. Tap 'Add Portal'
 - d. After the 'https://', type schtportal.dnr.sc.gov/portal
 - e. Tap 'Add Portal'
 - f. Tap the back-arrow icon (upper left corner) twice to return to the main sign in page.
- 3) Use the camera app (or other QR Reader app) to scan the QR code on this page from your smartphone or tablet. Click on the 'Open in the Survey123 field app'. This will prompt a window to allow Survey123 to download the SC Natural Heritage Occurrence Reporting Form. Select 'Open.'
- 4) The form will automatically open in Survey123, and you can begin entering data! This form will stay loaded in the app on your device until you manually delete it, and you can submit as many records as you like.





July 27, 2020

Ms. Elizabeth Johnson
Deputy State Historic Preservation Officer
South Carolina Department of Archives and History
8301 Parklane Road
Columbia, SC 29223-4905

Subject: Cultural Resources Survey for Section 6(f)(3) Partial Land Conversion (2401 Richardson Drive) on the Proposed I-526 West Lowcountry Corridor Improvements Environmental Impact Statement (EIS) in Charleston County, South Carolina; Federal Project Number P027507

Dear Ms. Johnson:

The South Carolina Department of Transportation (the Department) seeks to convert a portion of the Highland Terrace-Liberty Park Community Center, a Land and Water Conservation Fund (LWCF) Section 6(f) resource located at 2401 Richardson Drive in North Charleston, from its current recreational use to permanent right-of-way as part of the proposed I-526 Lowcountry Corridor (LCC) WEST project. The proposed replacement property, located at 5260 Deacon Street, is shown in the attached mapping.

An Environmental Assessment (EA) is being prepared to evaluate impacts associated with replacing the impacted Section 6(f) resource. The properties at Richardson Drive and Deacon Street have been surveyed for historic resources as part of the studies conducted for the proposed I-526 LCC WEST project. The I-526 LCC WEST Cultural Resources report is attached for reference. Based on the results of background research and field survey, there are no historic resources recommended eligible for listing on the National Register of Historic Places at 2401 Richardson Drive or 5260 Deacon Street. Neither the 2401 Richardson Drive nor the 5260 Deacon Street tracts warranted archaeological survey, as soils at both tracts are defined as Urban land and located within the Filbin Creek drainage. Therefore, **no historic properties or archaeological resources would be affected** by construction of the proposed replacement recreational facilities.

In accordance with the memorandum of agreement approved by the Federal Highway Administration, March 16, 1993, the Department is providing this information as agency official designee, as defined under 36 CFR 800.2, to ensure compliance with Section 106 of the National Historic Preservation Act.





Per the terms of the Section 106 Programmatic Agreement, the Department is providing this information on behalf of the Federal Highway Administration. It is requested that you review the enclosed material and, if appropriate, indicate your concurrence with the Department's findings, thus completing the Section 106 consultation process. Please respond within 30 days if you have any objections or if you have need of additional information.

Sincerely,

Chad C. Long
Director of Environmental Services

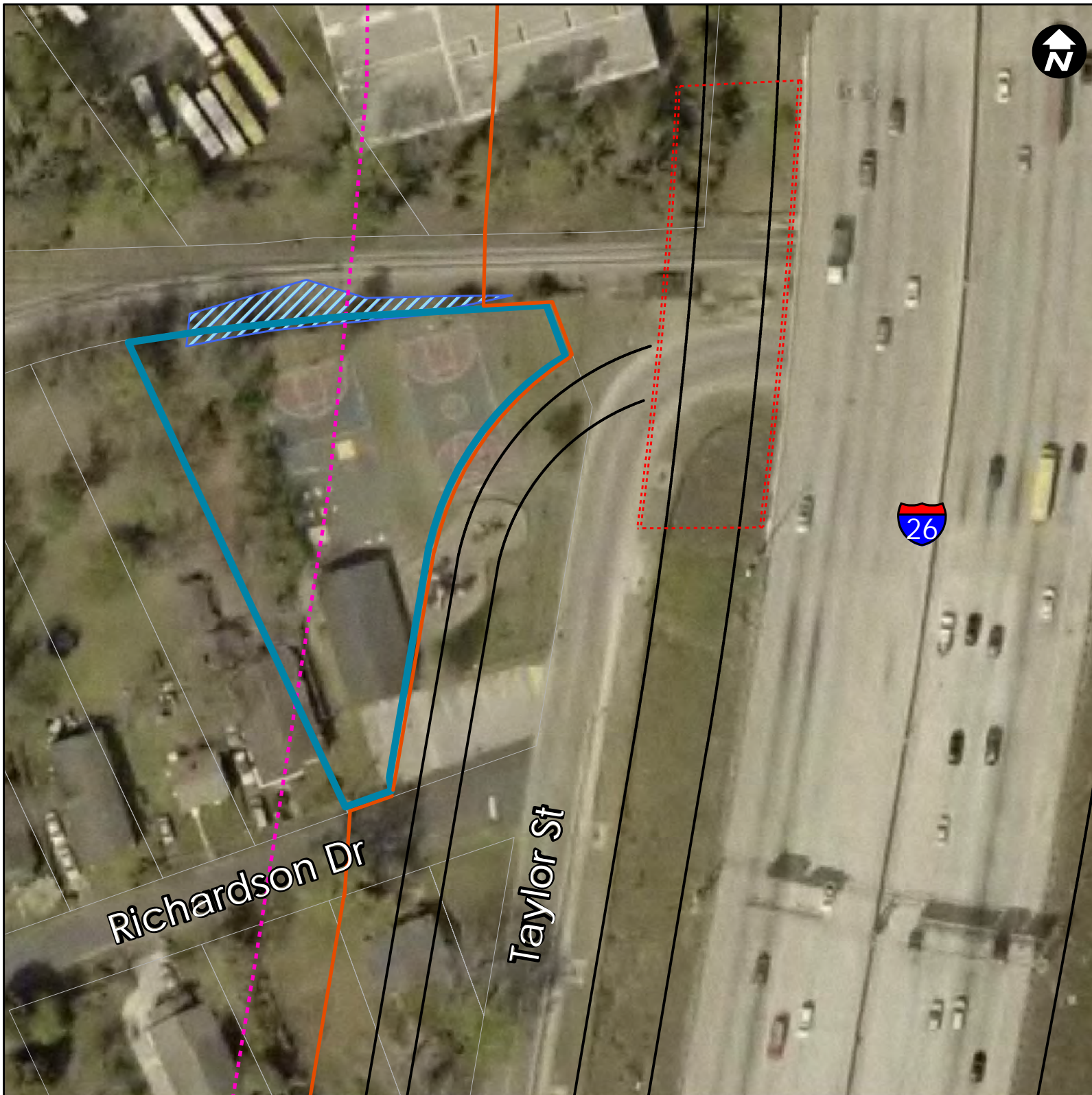
CCL:ccl
Enclosure

I (do not) concur in the above determination.








Signed:

Date:

cc: J. Shane Belcher, FHWA Environmental Coordinator
Mr. David Kelly, SCDOT RPG 1 NEPA Coordinator
Mr. Will McGoldrick, SCDOT Design-Build Environmental Coordinator
Ms. Joy Riley, SCDOT Program Manager



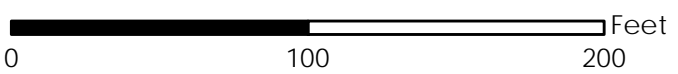
Legend

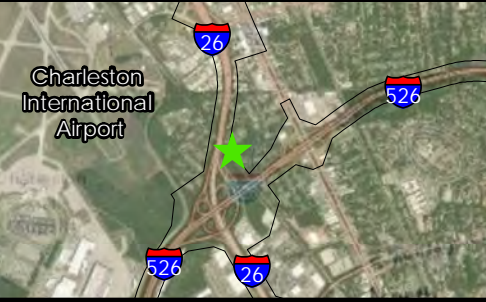
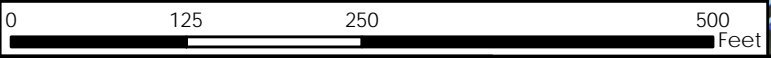
-  Proposed Bridge
-  Proposed Taylor St Relocation
-  Proposed Right of Way
-  Parcels
-  Proposed Pocket Park
-  Archaeology APE
-  Wetlands



Highland Terrace-Liberty Park
Community Center
Environmental Features

I-526 Lowcountry Corridor WEST
Charleston County
Last Updated by AK on 7/24/2020





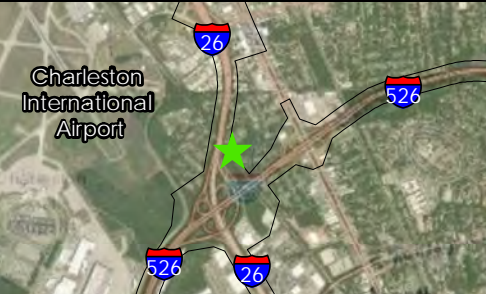
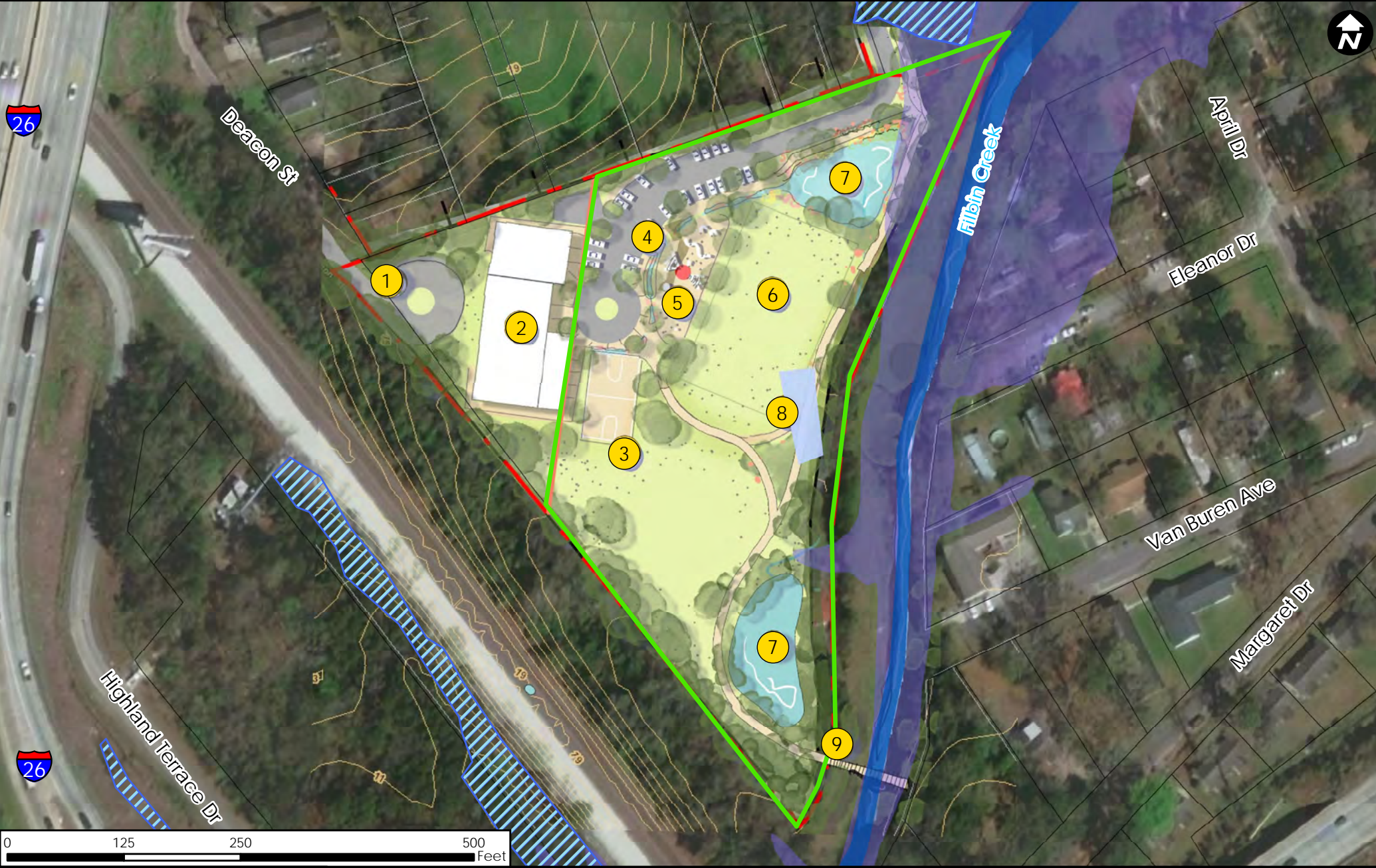
- Legend**
- Proposed Section 6(f) Boundary
 - 100-Year Flood Zone
 - Wetlands
 - Pond
 - 303d Impaired Streams

Replacement Property Site Map

Proposed Section 6(f) Conversion of Highland Terrace-Liberty Park Community Center



I-526 Lowcountry Corridor WEST
 Charleston County
 Last Updated by AK on 7/21/2020



Legend

1 Access Drive TBD	6 120x210 Multi Use Field	Proposed Section 6(f) Boundary
2 Community Center Building	7 Educational Wetland	100-Year Flood Zone
3 Outdoor Basketball Court	8 Fitness Loop	Wetlands
4 Rain Garden	9 Pedestrian Bridge	Pond
5 5,000 SF Playground		303d Impaired Streams

**Replacement Property
Environmental Features Map**

**Proposed Section 6(f) Conversion of
Highland Terrace-Liberty Park Community Center**

I-526 Lowcountry Corridor WEST
Charleston County
Last Updated by AK on 7/21/2020



Cultural Resources Survey of the I-526 Lowcountry Corridor West Project

Charleston County, South Carolina

Addendum 2 Report

David Baluha and Lannie Kittrell

Brockington and Associates, Inc.

May 2020

The report above can be found at:

https://storage.googleapis.com/stateless-www-526lowcountrycor/wp-content/uploads/2020/10/App-P_Cultural-Resources-Survey.pdf

APPENDIX C

ENVIRONMENTAL SCREENING FORMS

ANDERSON TRACT

A. ENVIRONMENTAL RESOURCES Indicate potential for adverse impacts. Use a separate sheet to clarify responses per instructions for Part A on page 9.	Not Applicable - Resource does not exist	No/Negligible Impacts - Exists but no or negligible impacts	Minor Impacts	Impacts Exceed Minor EA/EIS required	More Data Needed to Determine Degree of Impact EA/EIS required
1. Geological resources: soils, bedrock, slopes, streambeds, landforms, etc.		x			
2. Air quality		x			
3. Sound (noise impacts)		x			
4. Water quality/quantity		x			
5. Stream flow characteristics	x				
6. Marine/estuarine		x			
7. Floodplains/wetlands		x			
8. Land use/ownership patterns; property values; community livability		x			
9. Circulation, transportation		x			
10. Plant/animal/fish species of special concern and habitat; state/federal listed or proposed for listing	x				
11. Unique ecosystems, such as biosphere reserves, World Heritage sites, old growth forests, etc.	x				
12. Unique or important wildlife/ wildlife habitat	x				
13. Unique or important fish/habitat	x				
14. Introduce or promote invasive species (plant or animal)	x				
15. Recreation resources, land, parks, open space, conservation areas, rec. trails, facilities, services, opportunities, public access, etc. <i>Most conversions exceed minor impacts. See Step 3.B</i>	x				
16. Accessibility for populations with disabilities	x				
17. Overall aesthetics, special characteristics/ features		x			
18. Historical/cultural resources, including landscapes, ethnographic, archeological, structures, etc. Attach SHPO/THPO determination.	x				
19. Socioeconomics, including employment, occupation, income changes, tax base, infrastructure	x				
20. Minority and low-income populations	x				
21. Energy resources (geothermal, fossil fuels, etc.)	x				
22. Other agency or tribal land use plans or policies	x				
23. Land/structures with history of contamination/hazardous materials even if remediated	x				
24. Other important environmental resources to address.	x				

ANDERSON TRACT

B. Mandatory Criterial <i>If your LWCF proposal is approved, would it...</i>	Yes	No	To Be Determined
1. Have significant impacts on public health or safety?		x	
2. Have significant impacts on such natural resources and unique geographic characteristics as historic or cultural resources; park, recreation, or refuge lands, wilderness areas; wild or scenic rivers; national natural landmarks; sole or principal drinking water aquifers; prime farmlands; wetlands (E.O. 11990); floodplains (E.O 11988); and other ecologically significant or critical areas.		x	
3. Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA section 102(2)(E)]?		x	
4. Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks?		x	
5. Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects?		x	
6. Have a direct relationship to other actions with individually insignificant, but cumulatively significant, environmental effects?		x	
7. Have significant impacts on properties listed or eligible for listing on the National Register of Historic Places, as determined by either the bureau or office. (Attach SHPO/THPO Comments)		x	
8. Have significant impacts on species listed or proposed to be listed on the List of Endangered or Threatened Species, or have significant impacts on designated Critical Habitat for these species.		x	
9. Violate a federal law, or a state, local, or tribal law or requirement imposed for the protection of the environment?		x	
10. Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898)?		x	
11. Limit access to and ceremonial use of Indian sacred sites on federal lands by Indian religious practitioners or significantly adversely affect the physical integrity of such sacred sites (Executive Order 13007)?		x	
12. Contribute to the introduction, continued existence, or spread of noxious weeds or non-native invasive species known to occur in the area, or actions that may promote the introduction, growth, or expansion of the range of		x	

Environmental Reviewers
<p>The following individual(s) provided input in the completion of the environmental screening form. List all reviewers including name, title, agency, field of expertise. Keep all environmental review records and data on this proposal in state compliance file for any future program review and/or audit. The ESF may be completed as part of a LWCF pre-award site inspection if conducted in time to contribute to the environmental review process for the proposal.</p>
<p>1. Chad Long, Director of Environmental Services, SCDOT</p> <p>2.</p> <p>3.</p> <p>The following individuals conducted a site inspection to verify field conditions. <i>List name of inspector(s), title, agency, and date(s) of inspection.</i></p> <p>1. Stuart M. Saunders, Appraiser, Saunders & Associates, Inc., July 6, 2020</p> <p>2. Amanda Harris, Civil Engineering Consulting Services, Inc., July 23, 2020</p> <p>3.</p> <p>State may require signature of LWCF sub-recipient applicant here: _____ Date: _____</p>

ANDERSON TRACT

Subject Photographs



Front view of subject house.



Rear view of subject house.



Side view of house.



Side view of house.



Northerly view facing subject house.



Northerly view along property line/Filbin Creek.

ANDERSON TRACT



Interior view.



Pond.



Dilapidated shed.



Interior view.



Interior view.

HIGHLAND TERRACE-LIBERTY PARK COMMUNITY CENTER

A. ENVIRONMENTAL RESOURCES Indicate potential for adverse impacts. Use a separate sheet to clarify responses per instructions for Part A on page 9.	Not Applicable - Resource does not exist	No/Negligible Impacts - Exists but no or negligible impacts	Minor Impacts	Impacts Exceed Minor EA/EIS required	More Data Needed to Determine Degree of Impact EA/EIS required
1. Geological resources: soils, bedrock, slopes, streambeds, landforms, etc.		x			
2. Air quality		x			
3. Sound (noise impacts)		x			
4. Water quality/quantity		x			
5. Stream flow characteristics	x				
6. Marine/estuarine	x				
7. Floodplains/wetlands		x			
8. Land use/ownership patterns; property values; community livability		x			
9. Circulation, transportation		x			
10. Plant/animal/fish species of special concern and habitat; state/federal listed or proposed for listing	x				
11. Unique ecosystems, such as biosphere reserves, World Heritage sites, old growth forests, etc.	x				
12. Unique or important wildlife/ wildlife habitat	x				
13. Unique or important fish/habitat	x				
14. Introduce or promote invasive species (plant or animal)	x				
15. Recreation resources, land, parks, open space, conservation areas, rec. trails, facilities, services, opportunities, public access, etc. <i>Most conversions exceed minor impacts. See Step 3.B</i>			x		
16. Accessibility for populations with disabilities	x				
17. Overall aesthetics, special characteristics/ features	x				
18. Historical/cultural resources, including landscapes, ethnographic, archeological, structures, etc. Attach SHPO/THPO determination.	x				
19. Socioeconomics, including employment, occupation, income changes, tax base, infrastructure	x				
20. Minority and low-income populations	x				
21. Energy resources (geothermal, fossil fuels, etc.)	x				
22. Other agency or tribal land use plans or policies	x				
23. Land/structures with history of contamination/hazardous materials even if remediated	x				
24. Other important environmental resources to address.	x				

HIGHLAND TERRACE-LIBERTY PARK COMMUNITY CENTER

B. Mandatory Critical <i>If your LWCF proposal is approved, would it...</i>	Yes	No	To Be Determined
1. Have significant impacts on public health or safety?		x	
2. Have significant impacts on such natural resources and unique geographic characteristics as historic or cultural resources; park, recreation, or refuge lands, wilderness areas; wild or scenic rivers; national natural landmarks; sole or principal drinking water aquifers; prime farmlands; wetlands (E.O. 11990); floodplains (E.O. 11988); and other ecologically significant or critical areas.		x	
3. Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA section 102(2)(E)]?		x	
4. Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks?		x	
5. Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects?		x	
6. Have a direct relationship to other actions with individually insignificant, but cumulatively significant, environmental effects?		x	
7. Have significant impacts on properties listed or eligible for listing on the National Register of Historic Places, as determined by either the bureau or office. (Attach SHPO/THPO Comments)		x	
8. Have significant impacts on species listed or proposed to be listed on the List of Endangered or Threatened Species, or have significant impacts on designated Critical Habitat for these species.		x	
9. Violate a federal law, or a state, local, or tribal law or requirement imposed for the protection of the environment?		x	
10. Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898)?		x	
11. Limit access to and ceremonial use of Indian sacred sites on federal lands by Indian religious practitioners or significantly adversely affect the physical integrity of such sacred sites (Executive Order 13007)?		x	
12. Contribute to the introduction, continued existence, or spread of noxious weeds or non-native invasive species known to occur in the area, or actions that may promote the introduction, growth, or expansion of the range of		x	

Environmental Reviewers
<p>The following individual(s) provided input in the completion of the environmental screening form. List all reviewers including name, title, agency, field of expertise. Keep all environmental review records and data on this proposal in state compliance file for any future program review and/or audit. The ESF may be completed as part of a LWCF pre-award site inspection if conducted in time to contribute to the environmental review process for the proposal.</p>
<p>1. Chad Long, Director of Environmental Services, SCDOT</p> <p>2.</p> <p>3.</p> <p>The following individuals conducted a site inspection to verify field conditions. <i>List name of inspector(s), title, agency, and date(s) of inspection.</i></p> <p>1. Stuart M. Saunders, Appraiser, Saunders & Associates, Inc., November 5, 2019</p> <p>2. Amanda Harris, Civil Engineering Consulting Services, Inc., July 23, 2020</p> <p>3.</p> <p>State may require signature of LWCF sub-recipient applicant here: _____ Date: _____</p>

HIGHLAND TERRACE-LIBERTY PARK COMMUNITY CENTER

Subject Photographs



Front view of subject from across Taylor Street.



Side view of subject building from parking lot.



Front view of subject building.



Side/rear view of subject building.



Basketball court.



Basketball court.

HIGHLAND TERRACE-LIBERTY PARK COMMUNITY CENTER



Playground.



Easterly view of subject's frontage on Richardson Drive.



Westerly view of subject's frontage on Richardson Drive.



Southerly view of subject's frontage on Taylor Street.



Northerly view of subject's frontage on Taylor Street.



Westerly view along rear property line.

HIGHLAND TERRACE-LIBERTY PARK COMMUNITY CENTER



Southerly view alongside property line.