



Protected Resources Review

Earnhardt Site
809 Eastbend Lane
Salisbury, North Carolina



Prepared For:

Rowan Economic Development Commission
204 East Innes Street, Suite 220
Salisbury, NC 28144

Issue Date: November 6, 2025

F&R Project Number: 59D-0281



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**Protected Resources Review
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809 Eastbend Lane
Salisbury, North Carolina**

Froehling & Robertson, Inc., (F&R) presents herein the results of the informal historical resources and protected species review conducted at the above-mentioned site.

1.0 SUMMARY

The following is a summary of our findings and is not intended to replace more detailed information contained elsewhere in this report. Froehling & Robertson, Inc. reviewed information at the North Carolina State Historic Preservation Office (SHPO) and submitted a Request for Comments (RFC) letter to SHPO. The RFC letter included basic project information and documentation of F&R's information review. The RFC letter included basic project information and documentation of F&R's information review. SHPO responded with a letter dated October 19, 2025, stating that, "We have conducted a review of the project and are aware of no historical resources which would be affected by the project. Therefore, we have no comment on the project as proposed." A copy of the SHPO response letter is attached.

F&R visited the North Carolina Department of Environmental Quality – Natural Heritage Program (NCNHP) Data Explorer and the U.S. Fish and Wildlife Service (USFWS) IPaC, to review the most current information regarding protected species. Based on F&R's review of the 7.5 – Minute USGS Topographic Quadrangle Map "Rockwell, NC", and the supporting literature available in the NCNHP Data Explorer, there are no documented occurrences of rare species, important Natural Communities, Natural Areas, and/or Conservation/Managed Areas within the Subject Property. One Rowan County Open Space is documented within the Subject Property. One Element Occurrence is documented within one mile of the Subject Property. No rare species, important Natural Communities, Natural Areas, and/or Conservation Areas are documented within one mile of the Subject Property.

The USFWS IPaC official species list for the Subject Property identified two federally-protected species that may occur in the proposed project location. Based on our review of information and field observations, it appears that potential habitat for one of the listed species may be present on the Subject Property: Schweinitz's sunflower (*Helianthus schweinitzii*). Since the project is planned to go through the federal permitting approval process, a plant survey for Schweinitz's sunflower during the appropriate optimal survey window (August-October) was recommended.



On September 25, 2025, F&R staff members searched areas that contained potentially suitable habitat within the Subject Property, to determine the presence or absence of Schweinitz's sunflower. Schweinitz's sunflower was not observed within the Subject Property during this survey effort. Based on these findings, it is F&R's opinion that this species is not likely to be impacted by the planned development, with a recommended biological conclusion of "No Effect".

Due to the limited nature of this review, additional coordination with the USFWS may be warranted in order to confirm these findings. Photo documentation, the Schweinitz's Sunflower Field Survey Map, and copies of the NCNHP response and USFWS IPaC letter are attached.

2.0 PURPOSE

The purpose of the Historical Resources Review was to gain an understanding of what historical, cultural, and/or archaeological resources as protected by the National Historic Preservation Act are present within the immediate vicinity of the Subject Property. The purpose of the Protected (threatened & endangered) Species review was to gain an understanding of what biological resources as protected by the state and federal Endangered Species Act are present within the immediate vicinity of the Subject Property. The purpose of the North Carolina Natural Heritage Program (NCNHP) review is to gain an understanding of the records for rare species, important natural communities, natural areas, and/or conservation or managed areas within the project boundary. The purpose of the Schweinitz's sunflower Field Survey was to confirm the presence or absence of the listed plant species within potentially suitable habitat, and determine if the species in question is likely to be impacted by the proposed project.

3.0 PROJECT SITE

According to Client-provided information, the Subject Property is located on the north of Eastbend Lane and to the south of Settlers Grove Lane in Salisbury, Rowan County, North Carolina, herein referred to as the Subject Property. The Subject Property consists of one, irregular-shaped parcels of land totaling 83 acres and currently consists of a combination of wooded and cleared land. The Subject Property is located in an area of mostly residential development, agricultural land, and wooded land. Much of the subject property was used for lumber production and hunting. The Subject Property is bound to the north by residential development and wooded land; to the east by a commercial area and wooded land; to the south by Eastbend Lane and residential development; and to the west by residential homes.



A property topographic map adapted from the USGS 7.5 Minute Topographic Quadrangle Map "Rockwell, NC" dated 2022, is included as Figure 2 in the attachments.

4.0 SCOPE OF WORK

The informal rare & endangered species and historical resources review was conducted in general accordance with F&R's Proposal No. 2559-00402, dated August 29, 2025.

5.0 INFORMAL SURVEY

5.1 Historic Resources Review

F&R visited the SHPO GIS Website to review the most current information. Based on F&R's review of 7.5 – Minute USGS Topographic Quadrangle Map and the supporting literature available at the SHPO GIS website sites listed on the National Register (NR) or Study List (SL) for the NR were not identified on the Subject Property or within 1,500 feet of the Subject Property.

F&R sent an RFC Letter to SHPO. The letter included the above project information and the results of F&R's review. SHPO responded to the RFC with a letter dated October 19, 2025. SHPO's response acknowledged that, "We have conducted a review of the project and are aware of no historical resources which would be affected by the project. Therefore, we have no comment on the project as proposed." A copy of the SHPO response letter is attached.

5.2 Protected Species Review

F&R visited the NCNHP Data Explorer and USFWS IPaC, to review the most current information regarding protected species. Based on F&R's review of the 7.5 – Minute USGS Topographic Quadrangle Map "Rockwell, NC", and the supporting literature available in the NCNHP Data Explorer, there are no documented occurrences of rare species, important Natural Communities, Natural Areas, and/or Conservation/Managed Areas within the Subject Property. One Rowan County Open Space is documented within the Subject Property.

One Element Occurrence for Appalachian adder's mouth was documented in 1890, within one mile of the Subject Property. No important Natural Communities, Natural Areas, and/or Conservation Areas are documented within one mile of the Subject Property. Three Rowan County Open Space Managed Areas and two Town of Granite Quarry Open Space Managed Areas, were depicted within one mile of the Subject Property. There are no important Natural Communities, Natural Areas, and/or Conservation Areas documented within one mile of the Subject Property.



The USFWS IPaC list did not identify critical habitat areas within the Subject Property. However, two Threatened, Endangered, or Proposed-listed species are included on the official USFWS list of protected species that may occur in the proposed project location. Listed species include:

Monarch Butterfly (*Danaus plexippus*) - Proposed Threatened (insect)

On December 10, 2024, the United States Fish and Wildlife Service (USFWS) announced the proposed listing of the monarch butterfly as a Threatened species afforded the protections provided by the Federal Endangered Species Act. According to USFWS, the species has been on a steady decline for the past 20 years.

The U.S. Fish and Wildlife Service is proposing critical habitat at western migratory population overwintering sites in coastal California. They are not proposing critical habitat at eastern migratory population overwintering sites because all known sites are in Mexico. Additionally, they are not proposing critical habitat within monarch butterfly breeding and migratory areas or for resident monarch populations which may breed in the winter or year-round due to the expansive nature of breeding and migratory habitat, the variability in the suitability of specific locations from year to year, and the opportunistic nature of monarch habitat use.

The monarch butterfly utilizes milkweed species during their reproduction cycle in the eastern United States. Milkweed plants require open, sunny habitat, and species can inhabit a variety of moisture regimes. Potential monarch butterfly habitat is present within open areas and cleared right-of-ways in the Subject Property. However, as of September 23, 2025, there is no proposed critical habitat for this species near or within the proposed project area.

F&R recommends commitment to adherence to any species-specific moratorium to reduce the possibility for incidental take of this species. However, at this time, there is no species-specific moratorium for the eastern United States.

Schweinitz's Sunflower (*Helianthus schweinitzii*) - Endangered (flowering plant)

Schweinitz's sunflower generally occurs on upland flats and gentle slopes where plants are in full to partial sun. The main unifying factor in all the soils is the location on upland interstream flats or gentle slopes where textures are clayey and thin with substantial rock fragments making them poor for agricultural use. It is believed that this species once occurred in natural forest openings or grasslands. Many of the remaining populations occur along roadsides.



As of September 23, 2025, no USFWS final critical habitat has been designated for this species. A NCNHP data explorer report dated October 22, 2025, revealed no known occurrences of this species within 1.0 mile of the Subject Property. However, some of the subject property consists of maintained right-of-ways and roadsides. As a result, F&R staff members searched areas that contained potentially suitable habitat within the Subject Property to determine the presence or absence of Schweinitz's sunflower during the on-site review conducted on September 25, 2025. Schweinitz's sunflower was not observed within the Subject Property during this survey effort. **Based on these findings, it is F&R's opinion that this species is not likely to be impacted by the planned development, with a recommended biological conclusion of "No Effect."** Additional documentation detailing the field observations and survey efforts for Schweinitz's sunflower is contained below.

Based on our review of the above information and field observations, it appears that the above-listed species are not likely to be present within the Subject Property. However, due to the limited nature of this review, additional coordination with the USFWS may be warranted in order to confirm these findings. Photo documentation, the Schweinitz's Sunflower Field Survey Map, and copies of the NCNHP response and USFWS IPaC letter are attached.

6.0 SCHWEINITZ'S SUNFLOWER FIELD SURVEY

6.1 Methods

To confirm the presence or absence of the listed plant species that may be impacted during the construction process, F&R completed an endangered terrestrial plant field survey for the potential presence of Schweinitz's sunflower.

Schweinitz's sunflower typically grows on upland flats and gentle slopes that receive full to partial sunlight. Its preferred habitat is characterized by clayey, shallow soils with a high content of rock fragments, usually found on upland interstream flats or gradual slopes. Historically, this species was found in natural forest openings and grasslands. Today, several populations in North Carolina occur along highway rights-of-way, roadsides, or the edges of artificially maintained clearings. According to the U.S. Fish and Wildlife Service (USFWS), the optimal survey period for Schweinitz's sunflower in North Carolina is from August through October.

The Survey Area included the portions of the Subject Property that contained suitable open edge habitat with regular disturbance such as mowing and clearing. The entire survey area was determined to be approximately 20 acres. The remaining portions of the Subject



Property were heavily forested with mixed deciduous or pine stands, saturated wetlands, and/or vegetated with thick brush. These habitat types do not support Schweinitz's sunflower.

On September 24, 2025, F&R observed areas that contained potentially suitable habitat for Schweinitz's sunflower within the Subject Property in an effort to determine its presence or absence. If potential plants were found, staff utilized the NC State's Botanist's Little Helper: Rare Plants: Key to Helianthus L. (Asteraceae) in North Carolina, and Allen S. Weakley's Flora of the Southeastern United States (Floraquest: Carolinas & Georgia© app), to identify to species. Tools used to identify the species included a clear 15 cm ruler, a jeweler's loupe, and the plant ID app PlantNet®.

The presence/absence of Schweinitz's sunflower plants were mapped, and representative photos were collected using the Trimble Terraflex® app and the Trimble DA2 Catalyst® GPS unit, to document the location of any potential plants.

6.2 Site Observations and Findings

The surveyed area included portions of the Subject Property that contain early successional areas maintained by periodic mowing and woodland edges and transitional areas, such as cleared right-of-ways, and edge habitat along Eastbend Lane and the adjacent properties.

Federally Endangered Schweinitz's sunflower was not identified within the Subject Property. The following common, but similar-looking species was identified: sneezeweed (*Helenium amarum*). Representative photos of this species obtained during the survey site visit are located in the Attachments.

7.0 CONCLUSIONS

F&R reviewed information at the North Carolina SHPO and submitted a Request for Comments letter to SHPO. The RFC letter included basic project information and documentation of F&R's information review. SHPO responded with a letter dated October 19, 2025, stating that, "We have conducted a review of the project and are aware of no historical resources which would be affected by the project. Therefore, we have no comment on the project as proposed."

The purpose of this survey is to identify archaeological sites and make recommendations regarding their eligibility status in terms of the National Register of Historic Places (NRHP). A copy of the SHPO response letter is attached.

F&R visited the NCNHP Data Explorer and USFWS IPaC, to review the most current information regarding protected species. Based on F&R's review of the 7.5 - Minute USGS Topographic Quadrangle Map "Rockwell, NC", and the supporting literature available in the



NCNHP Data Explorer, there are no documented occurrences of rare species, important Natural Communities, Natural Areas, and/or Conservation/Managed Areas within the Subject Property. One Rowan County Open Space is documented within the Subject Property. One Element Occurrence is documented within one mile of the Subject Property. No rare species, important Natural Communities, Natural Areas, and/or Conservation Areas are documented within one mile of the Subject Property.

The USFWS IPaC official species list for the Subject Property identified two federally-protected species that may occur in the proposed project location. Based on our review of information and field observations, it appears that potential habitat for one of the listed species may be present on the Subject Property: Schweinitz's sunflower (*Helianthus schweinitzii*). Since the project is planned to go through the federal permitting approval process, a plant survey for Schweinitz's sunflower during the appropriate optimal survey window (August-October) was recommended.

On September 25, 2025, F&R staff members searched areas that contained potentially suitable habitat within the Subject Property, to determine the presence or absence of Schweinitz's sunflower. Schweinitz's sunflower was not observed within the Subject Property during this survey effort. Based on these findings, it is F&R's opinion that this species is not likely to be impacted by the planned development, with a recommended biological conclusion of "No Effect".

Due to the limited nature of this review, additional coordination with the USFWS may be warranted in order to confirm these findings. Photo documentation, the Schweinitz's Sunflower Field Survey Map, and copies of the NCNHP response and USFWS IPaC letter are attached.

8.0 LIMITATIONS

This report has been prepared for the exclusive use of the Rowan Economic Development Commission (the client), and its assigns, for this specific project. These services have been provided in accordance with generally accepted environmental practices. No other warranty, expressed, or implied, is made. F&R did not perform a detailed field study for rare & endangered species or an intensive historical resources survey, including an archaeological assessment. Our observations were based upon conditions readily visible at the site at the time of our visit. If additional information becomes available which may affect our conclusions and recommendations, we request the opportunity to review the information, and reserve the right to modify our report, as warranted.



F&R, by virtue of providing the services described herein, does not assume the responsibility of the person(s) in charge of the site, or otherwise undertake responsibility for reporting to any local, state, or federal public agencies any conditions at the site which may present a potential concern to public health, safety, or the environment. It is F&R's understanding that the Client will notify appropriate regulatory agencies as required.

9.0 CLOSURE

Please do not hesitate to contact us if you have any questions or comments.

Respectfully Submitted,

FROEHLING & ROBERTSON, INC.

Eva DeSantis
Environmental Scientist

Elias Ruhl
Natural Resources Practice Leader

Attachments: NC SHPO Response Letter
 NC Natural Heritage Program Response
 US FISH & Wildlife Service IPaC Letter
 Figures
 Site Photographs



Appendix A - NC SHPO Response Letter



**North Carolina Department of Natural and Cultural Resources
State Historic Preservation Office**

Ramona M. Bartos, Administrator

Governor Josh Stein
Secretary Pamela B. Cashwell

Office of Archives and History
Deputy Secretary Darin J. Waters, Ph.D.

October 19, 2025

Erin Binkley
Froehling & Robertson, Inc.
310 Hubert Street
Raleigh, NC 27603

ebinkley@fandr.com

Re: Construct Earnhardt site industrial development, 809 Eastbend Lane, Salisbury, Rowan County,
ER 25-3008

Dear Ms. Binkley:

Thank you for your letter of September 30, 2025, regarding the above-referenced undertaking. We have reviewed the submission and offer the following comments.

We have conducted a review of the project and are aware of no historic resources which would be affected by the project. Therefore, we are not requiring any archaeological or architectural survey and have no comment on the project as proposed.

The above comments are made pursuant to Section 106 of the National Historic Preservation Act and the Advisory Council on Historic Preservation's Regulations for Compliance with Section 106 codified at 36 CFR Part 800.

Thank you for your cooperation and consideration. If you have questions concerning the above comment, contact Renee Gledhill-Earley, environmental review coordinator, at 919-814-6579 or environmental.review@dncr.nc.gov. In all future communication concerning this project, please cite the above referenced tracking number.

Sincerely,

A handwritten signature in blue ink that reads "Renee Gledhill-Earley".

for Ramona Bartos, Deputy
State Historic Preservation Officer

cc: Scott Trenton, Rowan Economic Development Council

scott@rowanedc.com



Appendix B - NC Natural Heritage Program Response



Josh Stein, Governor

Pamela B. Cashwell
Secretary

Misty Franklin
Deputy Director for Natural Heritage

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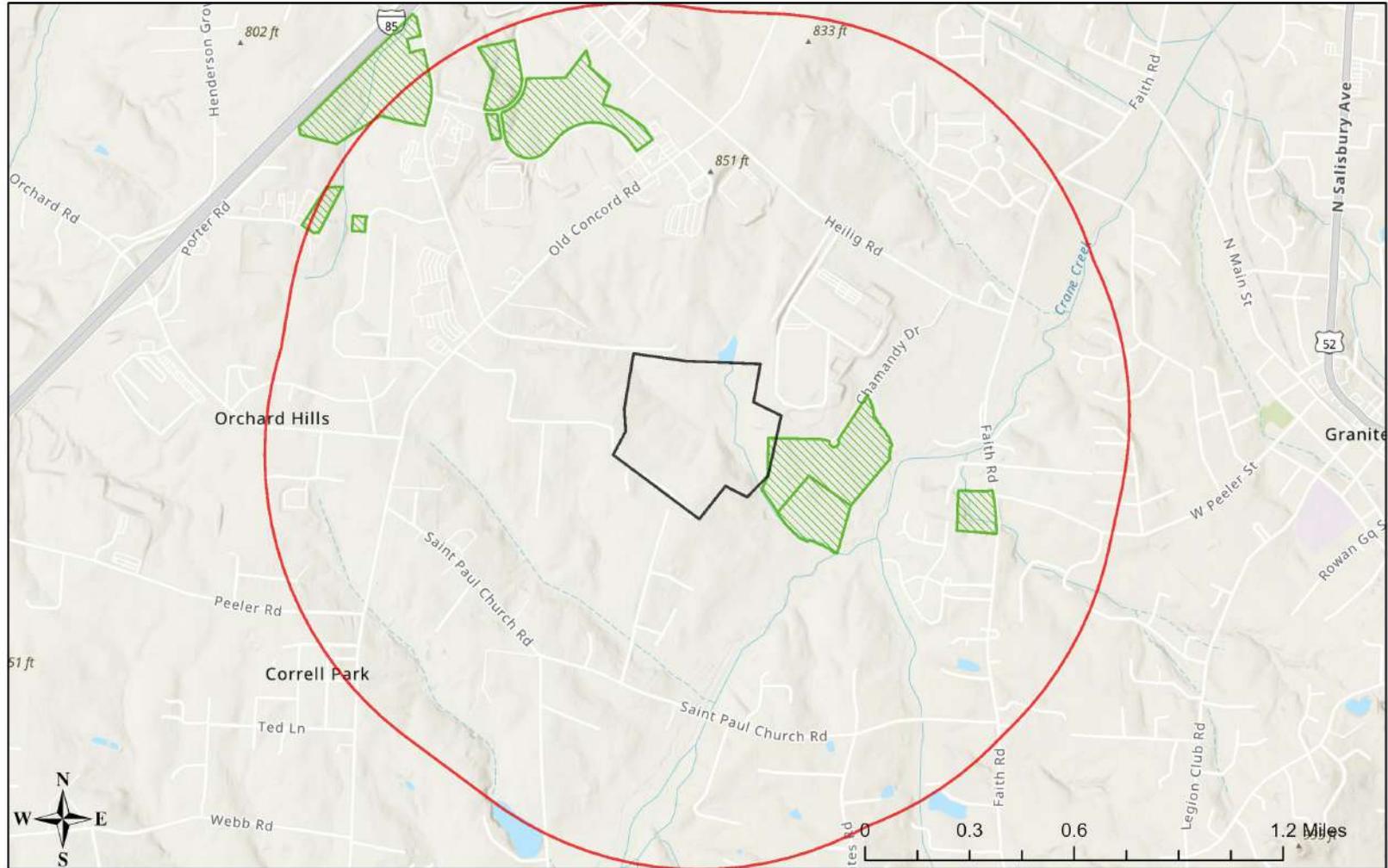
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NCNHDE-32430: Earnhardt



October 22, 2025

-  Managed Area (MAREA)
-  Buffered Project Boundary
-  Project Boundary

Esri, NASA, NGA, USGS, FEMA
State of North Carolina DOT, Esri, TomTom, Garmin, SafeGraph,
GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, US Census Bureau,
USDA, USFWS



Appendix C - US Fish & Wildlife IPaC Letter



United States Department of the Interior



FISH AND WILDLIFE SERVICE
Asheville Ecological Services Field Office
160 Zillicoa Street, Suite B
Asheville, NC 28801-1082
Phone: (828) 258-3939 Fax: (828) 258-5330

In Reply Refer To:

09/23/2025 20:31:33 UTC

Project Code: 2025-0153547

Project Name: Salisbury-Rowan Economic Development Commission - Rowan County
Protected Resources Services)

Subject: List of threatened and endangered species that may occur in your proposed project
location or may be affected by your proposed project

To Whom It May Concern:

The enclosed species list identifies threatened, endangered, and proposed species, as well as proposed and designated critical habitat, that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The enclosed species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*).

Please note that new species information can change your official species list. Under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. The Service recommends you visit the ECOS-IPaC website regularly during project planning and implementation to ensure your species list is accurate or obtain an updated species list.

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the Act and its implementing regulations (50 CFR 402 *et seq.*), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat.

A biological assessment (BA) or biological evaluation (BE) should be completed for your project. A BA is required for major construction activities (or other undertakings having similar physical impacts) considered to be Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2) (c))(NEPA). For projects other than major construction activities, the Service suggests that a BE be prepared to determine effects of the action and whether those effects may affect listed species and/or designated critical habitat. Effects of the action are all consequences to listed species or critical habitat that are caused by the proposed action, including the consequences of other activities that are caused by the proposed action. A consequence is caused by the

proposed action if it is reasonably certain to occur and would not occur “but for” the proposed action. Recommended contents of a BA/BE are described at 50 CFR 402.12. More information and resources about project review and preparing a BA/BE can be found at the following web link: <https://www.fws.gov/office/asheville-ecological-services/asheville-field-office-online-review-process-overview>.

If a Federal agency determines listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. The Service is not required to concur with "no effect" determinations from Federal action agencies. If consultation is required, the Service recommends that candidate species, proposed species, proposed critical habitat, and at-risk species be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or licensed applicants, can be found in the "Endangered Species Consultation Handbook" at the following web link: <https://www.fws.gov/media/endangered-species-consultation-handbook>.

Conservation measures (CMs) are actions included in the project description that the action agency or the applicant commits to implementing to avoid or minimize impacts to federally threatened or endangered species from their actions. CMs are a part of the proposed action and their implementation is required under the terms of a section 7 consultation. Ultimately, the lead federal action agency (project funder, permitter, or implementer) commits to CMs, however, implementation may be passed to the applicant via permit conditions. CMs demonstrate the action agency’s commitment to imperiled species conservation and have the potential to expedite project review under the Act by eliminating or decreasing adverse impacts that would otherwise result from project implementation. Potential CMs can be found at the following web link: https://www.fws.gov/sites/default/files/documents/2025-03/2025-02-sample-conservation-measures-asheville_field_office.pdf

Migratory Birds: In addition to responsibilities to protect threatened and endangered species under the Act, there are additional responsibilities under the Migratory Bird Treaty Act (MBTA) and the Bald and Golden Eagle Protection Act (BGEPA) to protect native birds from project-related impacts. Any activity resulting in take of migratory birds, including eagles, is prohibited unless otherwise permitted by the Service (50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)). More information about MBTA and BGEPA can be found at the following web link: <https://www.fws.gov/program/migratory-birds>.

We appreciate your consideration of Federally listed species. The Service encourages Federal agencies to include conservation of threatened and endangered species in their project planning to further the purposes of the Act. Please contact our staff at 828-258-3939, if you have any questions. In future correspondence concerning this project, please reference the Project Code which can be found in the header of this letter.

Attachment(s):

- Official Species List
- Bald & Golden Eagles
- Migratory Birds
- Wetlands

OFFICIAL SPECIES LIST

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

Asheville Ecological Services Field Office

160 Zillicoa Street, Suite B

Asheville, NC 28801-1082

(828) 258-3939

PROJECT SUMMARY

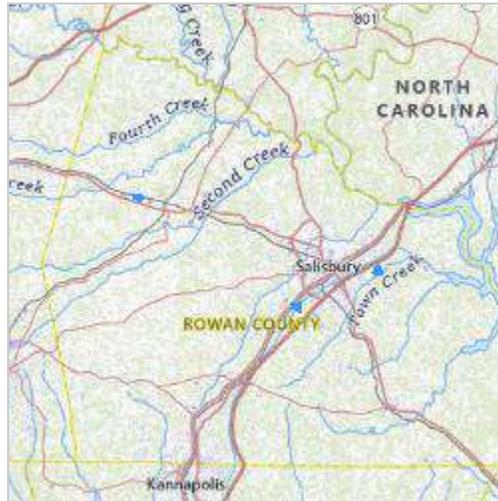
Project Code: 2025-0153547
Project Name: Salisbury-Rowan Economic Development Commission - Rowan County Protected Resources Services)

Project Type: Acquisition of Lands

Project Description: Potential development feasibility study

Project Location:

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@35.63726785,-80.50529268634224,14z>



Counties: Rowan County, North Carolina

ENDANGERED SPECIES ACT SPECIES

There is a total of 2 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries¹, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

-
1. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

INSECTS

NAME	STATUS
Monarch Butterfly <i>Danaus plexippus</i> There is proposed critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/9743	Proposed Threatened

FLOWERING PLANTS

NAME	STATUS
Schweinitz's Sunflower <i>Helianthus schweinitzii</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/3849	Endangered

CRITICAL HABITATS

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

YOU ARE STILL REQUIRED TO DETERMINE IF YOUR PROJECT(S) MAY HAVE EFFECTS ON ALL ABOVE LISTED SPECIES.

BALD & GOLDEN EAGLES

Bald and Golden Eagles are protected under the Bald and Golden Eagle Protection Act ² and the Migratory Bird Treaty Act (MBTA) ¹. Any person or organization who plans or conducts activities that may result in impacts to Bald or Golden Eagles, or their habitats, should follow appropriate regulations and consider implementing appropriate avoidance and minimization measures, as described in the various links on this page.

1. The [Bald and Golden Eagle Protection Act](#) of 1940.
2. The [Migratory Birds Treaty Act](#) of 1918.
3. 50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)

There are Bald Eagles and/or Golden Eagles in your [project](#) area.

Measures for Proactively Minimizing Eagle Impacts

For information on how to best avoid and minimize disturbance to nesting bald eagles, please review the [National Bald Eagle Management Guidelines](#). You may employ the timing and activity-specific distance recommendations in this document when designing your project/activity to avoid and minimize eagle impacts. For bald eagle information specific to Alaska, please refer to [Bald Eagle Nesting and Sensitivity to Human Activity](#).

The FWS does not currently have guidelines for avoiding and minimizing disturbance to nesting Golden Eagles. For site-specific recommendations regarding nesting Golden Eagles, please consult with the appropriate Regional [Migratory Bird Office](#) or [Ecological Services Field Office](#).

If disturbance or take of eagles cannot be avoided, an [incidental take permit](#) may be available to authorize any take that results from, but is not the purpose of, an otherwise lawful activity. For assistance making this determination for Bald Eagles, visit the [Do I Need A Permit Tool](#). For assistance making this determination for golden eagles, please consult with the appropriate Regional [Migratory Bird Office](#) or [Ecological Services Field Office](#).

Ensure Your Eagle List is Accurate and Complete

If your project area is in a poorly surveyed area in IPaC, your list may not be complete and you may need to rely on other resources to determine what species may be present (e.g. your local FWS field office, state surveys, your own surveys). Please review the [Supplemental Information on Migratory Birds and Eagles](#), to help you properly interpret the report for your specified location, including determining if there is sufficient data to ensure your list is accurate.

For guidance on when to schedule activities or implement avoidance and minimization measures to reduce impacts to bald or golden eagles on your list, see the "Probability of Presence Summary" below to see when these bald or golden eagles are most likely to be present and breeding in your project area.

NAME	BREEDING SEASON
Bald Eagle <i>Haliaeetus leucocephalus</i> This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities. https://ecos.fws.gov/ecp/species/1626	Breeds Sep 1 to Jul 31

PROBABILITY OF PRESENCE SUMMARY

The graphs below provide our best understanding of when birds of concern are most likely to be present in your project area. This information can be used to tailor and schedule your project activities to avoid or minimize impacts to birds. Please make sure you read "[Supplemental Information on Migratory Birds and Eagles](#)", specifically the FAQ section titled "Proper Interpretation and Use of Your Migratory Bird Report" before using or attempting to interpret this report.

Probability of Presence (■)

Green bars; the bird's relative probability of presence in the 10km grid cell(s) your project overlaps during that week of the year.

Breeding Season (■)

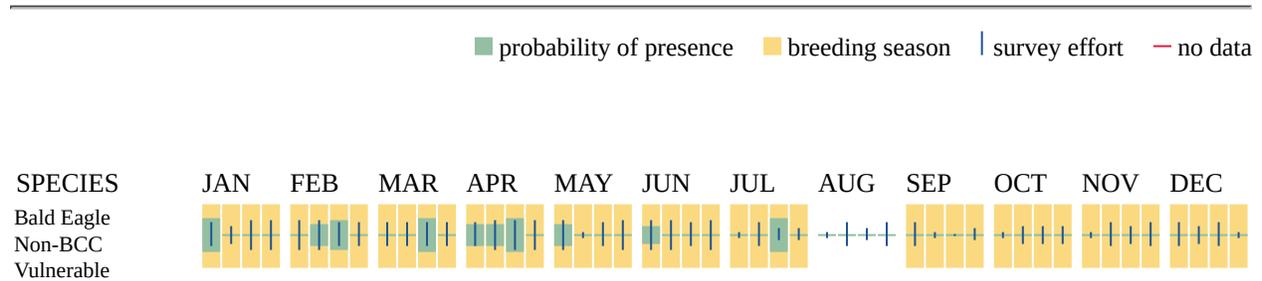
Yellow bars; liberal estimate of the timeframe inside which the bird breeds across its entire range.

Survey Effort (|)

Vertical black lines; the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps.

No Data (-)

A week is marked as having no data if there were no survey events for that week.



Additional information can be found using the following links:

- Eagle Management <https://www.fws.gov/program/eagle-management>
- Measures for avoiding and minimizing impacts to birds <https://www.fws.gov/library/collections/avoiding-and-minimizing-incident-take-migratory-birds>
- Nationwide avoidance and minimization measures for birds <https://www.fws.gov/sites/default/files/documents/nationwide-standard-conservation-measures.pdf>
- Supplemental Information for Migratory Birds and Eagles in IPaC <https://www.fws.gov/media/supplemental-information-migratory-birds-and-bald-and-golden-eagles-may-occur-project-action>

MIGRATORY BIRDS

The Migratory Bird Treaty Act (MBTA) ¹ prohibits the take (including killing, capturing, selling, trading, and transport) of protected migratory bird species without prior authorization by the Department of Interior U.S. Fish and Wildlife Service (Service).

1. The [Migratory Birds Treaty Act](#) of 1918.
2. The [Bald and Golden Eagle Protection Act](#) of 1940.
3. 50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)

For guidance on when to schedule activities or implement avoidance and minimization measures to reduce impacts to migratory birds on your list, see the "Probability of Presence Summary" below to see when these birds are most likely to be present and breeding in your project area.

NAME	BREEDING SEASON
<p>Bald Eagle <i>Haliaeetus leucocephalus</i></p> <p>This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities.</p> <p>https://ecos.fws.gov/ecp/species/1626</p>	Breeds Sep 1 to Jul 31
<p>Cerulean Warbler <i>Setophaga cerulea</i></p> <p>This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.</p> <p>https://ecos.fws.gov/ecp/species/2974</p>	Breeds Apr 28 to Jul 20
<p>Chimney Swift <i>Chaetura pelagica</i></p> <p>This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.</p> <p>https://ecos.fws.gov/ecp/species/9406</p>	Breeds Mar 15 to Aug 25
<p>Chuck-will's-widow <i>Antrostomus carolinensis</i></p> <p>This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA</p> <p>https://ecos.fws.gov/ecp/species/9604</p>	Breeds May 10 to Jul 10
<p>Eastern Whip-poor-will <i>Antrostomus vociferus</i></p> <p>This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.</p> <p>https://ecos.fws.gov/ecp/species/10678</p>	Breeds May 1 to Aug 20
<p>Grasshopper Sparrow <i>Ammodramus savannarum perpallidus</i></p> <p>This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA</p> <p>https://ecos.fws.gov/ecp/species/8329</p>	Breeds Jun 1 to Aug 20
<p>Prairie Warbler <i>Setophaga discolor</i></p> <p>This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.</p> <p>https://ecos.fws.gov/ecp/species/9513</p>	Breeds May 1 to Jul 31
<p>Prothonotary Warbler <i>Protonotaria citrea</i></p> <p>This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.</p> <p>https://ecos.fws.gov/ecp/species/9439</p>	Breeds Apr 1 to Jul 31
<p>Red-headed Woodpecker <i>Melanerpes erythrocephalus</i></p> <p>This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.</p> <p>https://ecos.fws.gov/ecp/species/9398</p>	Breeds May 10 to Sep 10
<p>Rusty Blackbird <i>Euphagus carolinus</i></p> <p>This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA</p> <p>https://ecos.fws.gov/ecp/species/9478</p>	Breeds elsewhere

NAME	BREEDING SEASON
Wood Thrush <i>Hylocichla mustelina</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9431	Breeds May 10 to Aug 31

PROBABILITY OF PRESENCE SUMMARY

The graphs below provide our best understanding of when birds of concern are most likely to be present in your project area. This information can be used to tailor and schedule your project activities to avoid or minimize impacts to birds. Please make sure you read "[Supplemental Information on Migratory Birds and Eagles](#)", specifically the FAQ section titled "Proper Interpretation and Use of Your Migratory Bird Report" before using or attempting to interpret this report.

Probability of Presence (■)

Green bars; the bird's relative probability of presence in the 10km grid cell(s) your project overlaps during that week of the year.

Breeding Season (■)

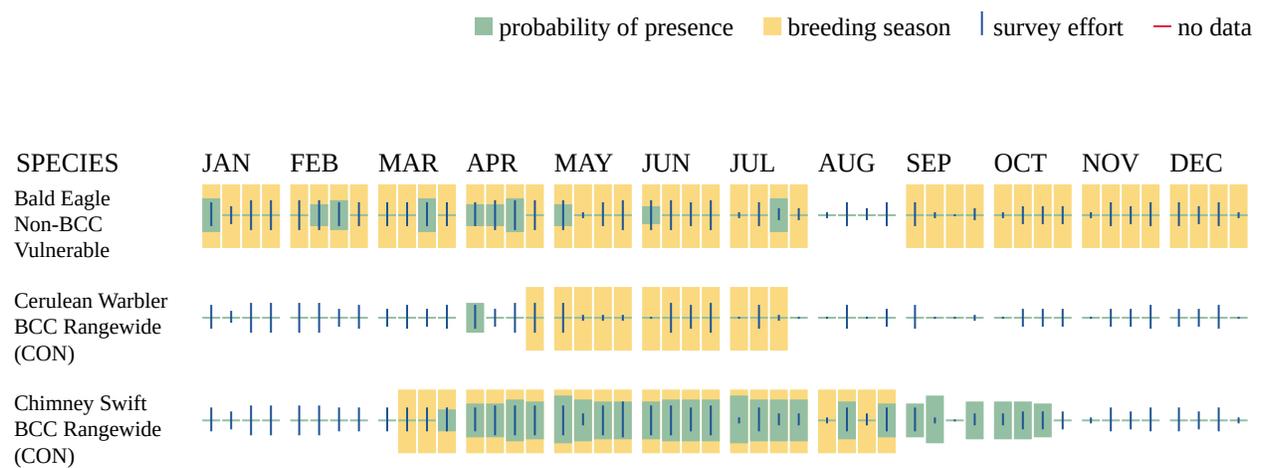
Yellow bars; liberal estimate of the timeframe inside which the bird breeds across its entire range.

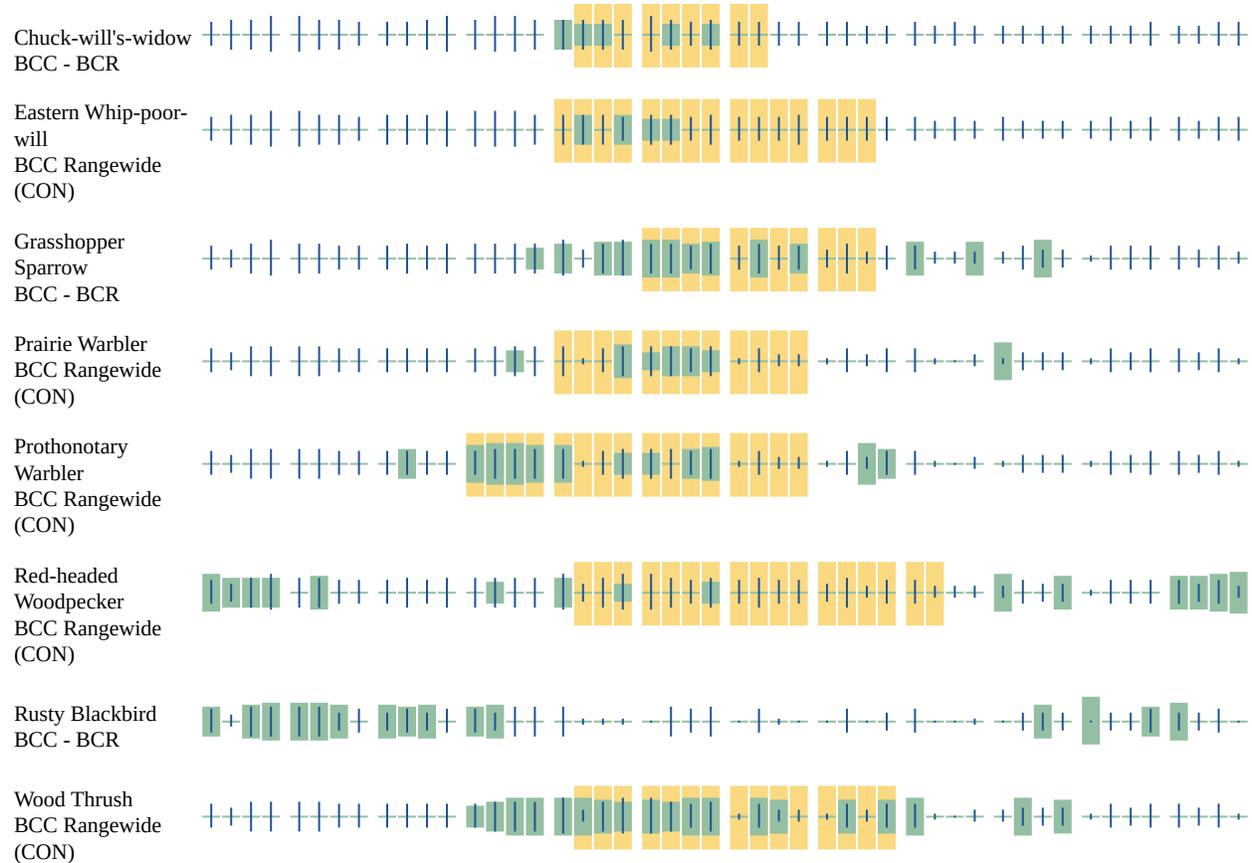
Survey Effort (|)

Vertical black lines; the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps.

No Data (—)

A week is marked as having no data if there were no survey events for that week.





Additional information can be found using the following links:

- Eagle Management <https://www.fws.gov/program/eagle-management>
- Measures for avoiding and minimizing impacts to birds <https://www.fws.gov/library/collections/avoiding-and-minimizing-incident-take-migratory-birds>
- Nationwide avoidance and minimization measures for birds
- Supplemental Information for Migratory Birds and Eagles in IPaC <https://www.fws.gov/media/supplemental-information-migratory-birds-and-bald-and-golden-eagles-may-occur-project-action>

WETLANDS

Impacts to [NWI wetlands](#) and other aquatic habitats may be subject to regulation under Section 404 of the Clean Water Act, or other State/Federal statutes.

For more information please contact the Regulatory Program of the local [U.S. Army Corps of Engineers District](#).

Please note that the NWI data being shown may be out of date. We are currently working to update our NWI data set. We recommend you verify these results with a site visit to determine the actual extent of wetlands on site.

RIVERINE

- R2UBH
- R4SBC
- R5UBH

FRESHWATER FORESTED/SHRUB WETLAND

- PFO1A

IPAC USER CONTACT INFORMATION

Agency: Froehling and Robertson

Name: Erin Binkley

Address: 310 Hubert Street

City: Raleigh

State: NC

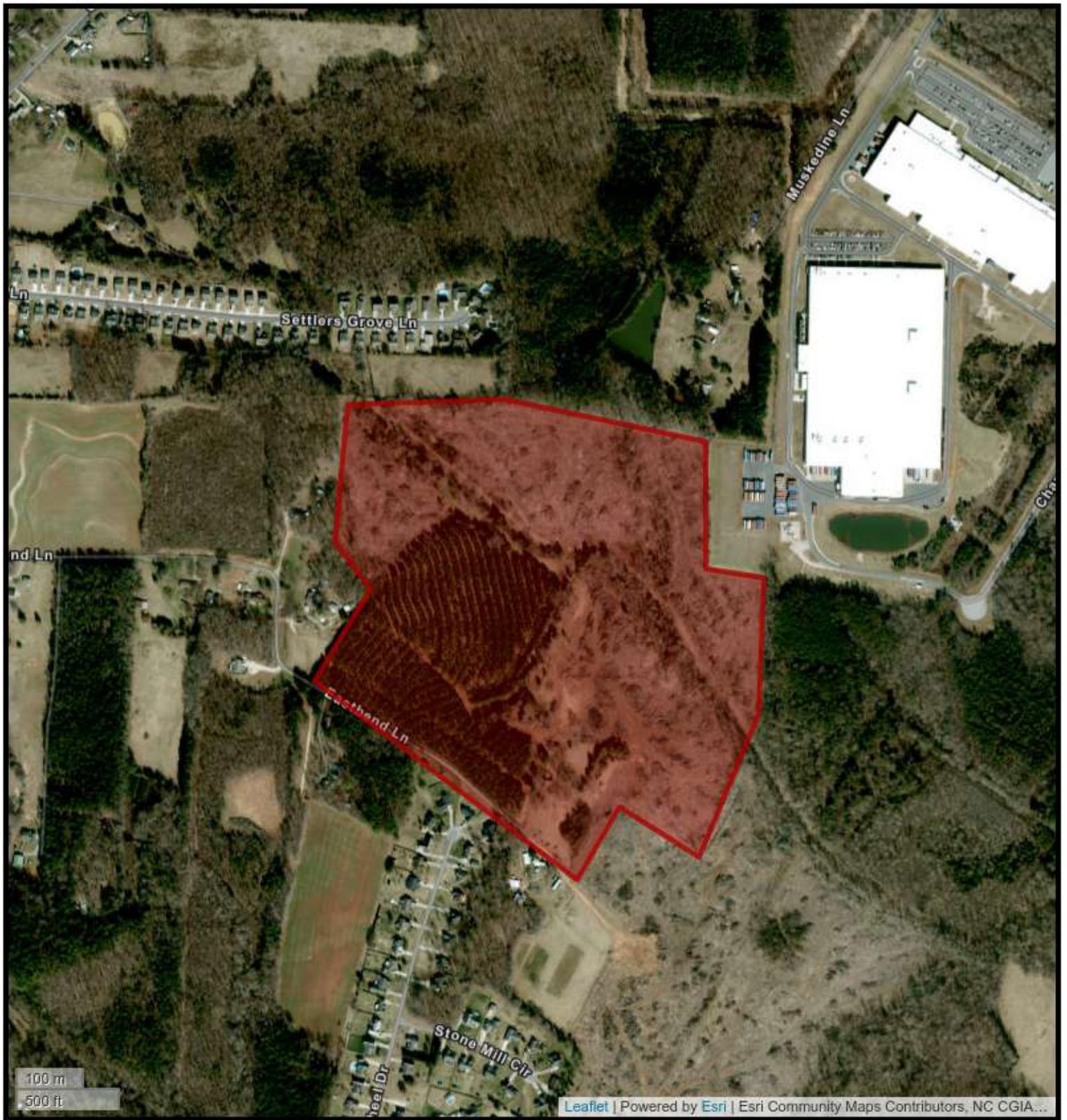
Zip: 27511

Email: ebinkley@fandr.com

Phone: 3303960435



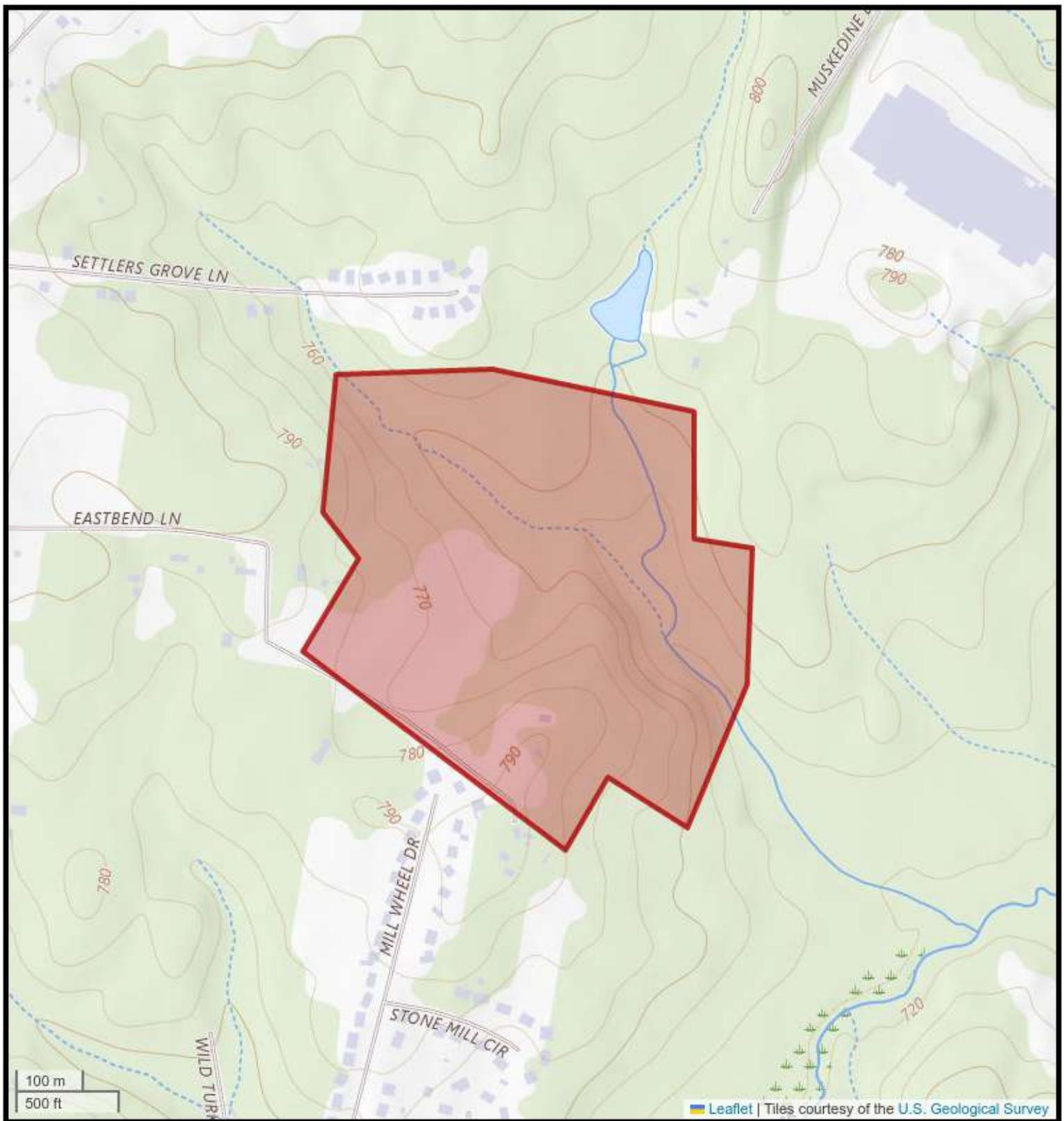
Appendix D - Figures



FROEHLING & ROBERTSON, INC.
Engineering Stability Since 1881

Subject Property Aerial Map

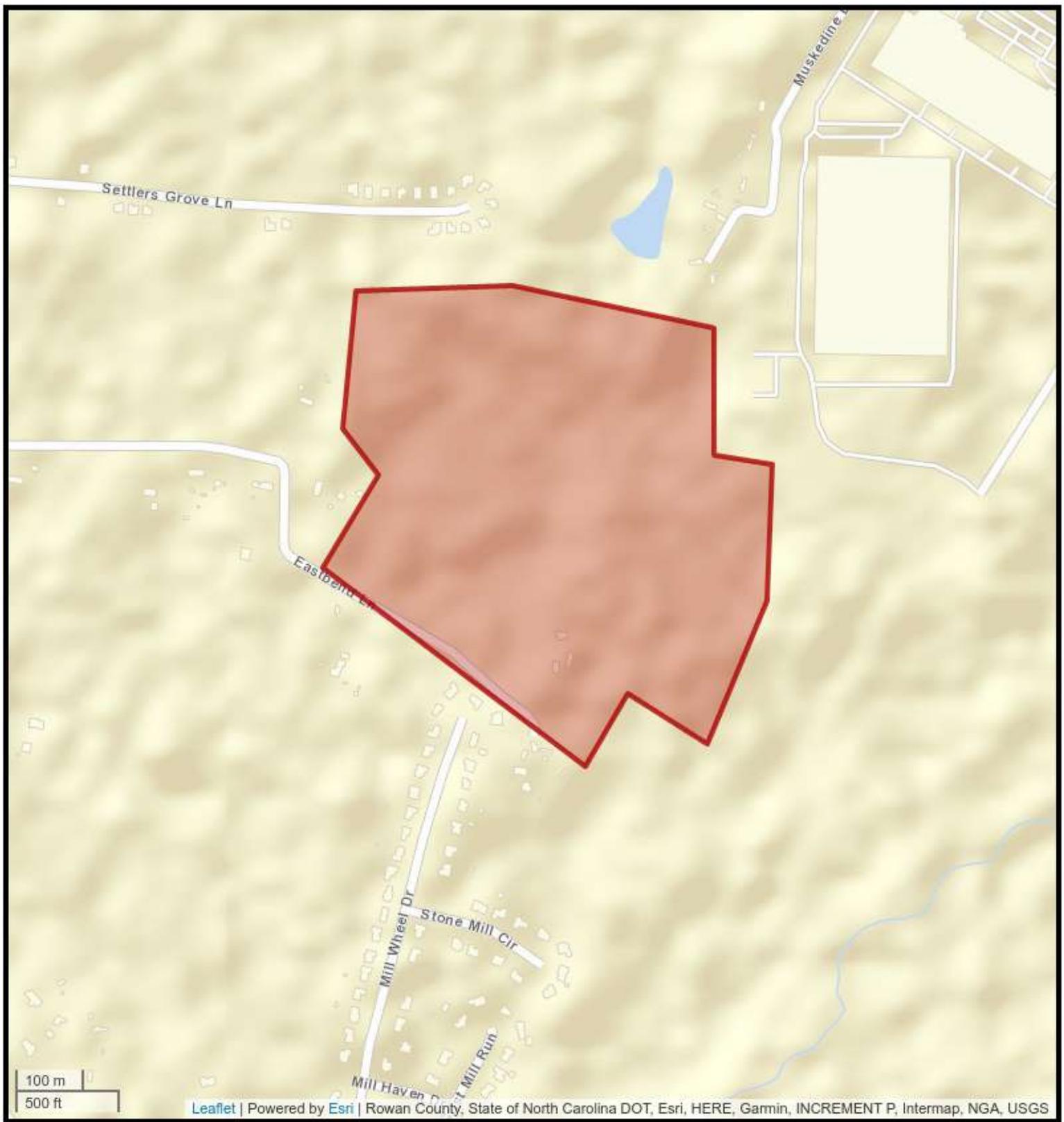
Earnhardt Site
809 Eastbend Lane
Salisbury, North Carolina
59D-0281
September 29, 2025



FROEHLING & ROBERTSON, INC.
Engineering Stability Since 1881

Subject Property Topographic Map

Earnhardt Site
809 Eastbend Lane
Salisbury, North Carolina
59D-0281
September 29, 2025



FROEHLING & ROBERTSON, INC.
Engineering Stability Since 1881

SHPO GIS Map
Earnhardt Site
809 Eastbend Lane
Salisbury, North Carolina
59D-0281
September 29, 2025



Schweinitz's Sunflower Field Survey Map

Legend

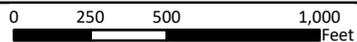
- ▭ Subject Property
- ▭ Schweinitz's Sunflower Survey Area

Client: Rowan Economic Development Council
 Project: Earnhardt Site
 Location: Cleveland/Rowan County, NC
 Project #: 59D-0281
 Data: Rowan County GIS 2022



October 2025

Scale: 1:7,500





Appendix E - Site Photographs



View of the Subject Property from the northern boundary facing south



View of the Subject Property, from southeastern corner facing northeast



View of sewer right-of-way within the Subject Property, from the eastern portion facing southeast



View of sewer right-of-way from the eastern portion of the Subject Property, facing northwest



View of the central portion of the Subject Property, facing east



View of debris in the southwest portion of the Subject Property, facing east



View of dilapidated home in the southeastern portion of the Subject Property, facing north



View of dilapidated home in the southeastern portion of the Subject Property, facing south



View of dilapidated home in the southeastern portion of the Subject Property, facing southeast



View of dilapidated home in the southeastern portion of the Subject Property, facing west



View of dilapidated barn in the southeastern portion of the Subject Property, facing north



View of dilapidated garage in the southeastern portion of the Subject Property, facing east



View of dilapidated garage in the southeastern portion of the Subject Property, facing west



View of the central portion of the Subject Property, facing north



View of the Subject Property, from the southern boundary facing north



View of Eastbend Lane from the southern boundary of the Subject Property, facing west



View of Eastbend Lane from the southern boundary of the Subject Property, facing east



View of stream in northwestern corner of the Subject Property, facing southwest



View of the central portion of the Subject Property, facing west



View of the Subject Property, from the northwestern corner facing southeast



View of sneezeweed in the southwestern portion of the Subject Property



View of dilapidated structure in the southeastern portion of the Subject Property, facing west



View of debris in the southwest portion of the Subject Property, facing south



View of deer blind in the southwestern portion of the Subject Property, facing east



View of Eastbend Lane from the southwestern corner facing southwest



View of Eastbend Lane from the southwestern corner of the Subject Property, facing northwest



View of adjacent property from the southeastern corner of the Subject Property, facing south



View of adjacent property from the southeastern corner of the Subject Property, facing southeast



View of adjacent property from the southeastern corner of the Subject Property, facing southwest



View of adjacent property (Imperial Supplies) from the northeast corner of the Subject Property, facing east



View of adjacent property Imperial Supplies from northeastern corner of the Subject Property, facing east



View of adjacent property from the northwestern corner of the Subject Property, facing north