



SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Office of Environmental Analysis

October 17, 2022

Lance Foster
 Tribal Historic Preservation Officer
 Iowa Tribe of Kansas and Nebraska
 3345 B Thrasher Rd.
 White Cloud, Kansas 66094

Re: Cultural Resources Survey in Support of the Proposed Acquisition of Kansas
 City Southern Railway by the Canadian Pacific Railway

Dear Mr. Foster,

The Surface Transportation Board's (Board's) Office of Environmental Analysis (OEA) is pleased to submit this Cultural Resources Survey Report in support of the OEA's review of a proposal by Canadian Pacific Railway et al. (CP) and Kansas City Southern Railway et al. (KCS) for CP to acquire KCS (Proposed Acquisition). The Proposed Acquisition is an undertaking subject to the Board's federal jurisdiction. If the Board authorizes this Proposed Acquisition, CP and KCS would combine to form an integrated system to be known as Canadian Pacific Kansas City (CPKC), which would be the first railroad to connect Canada, the United States, and Mexico. As part of the review process, OEA is preparing an Environmental Impact Statement (EIS) that will assess the potential environmental impacts of the Proposed Acquisition. OEA is also evaluating the potential impacts of the Proposed Acquisition on historic properties, in accordance with Section 106 of the National Historic Preservation Act (54 U.S.C. § 306108), the Section 106 implementing regulations (36 C.F.R. Part 800), and the Board's environmental regulations (49 C.F.R. Part 1105).

Consistent with past practice in merger cases and the Board's regulations at 49 C.F.R. § 1105.8(b)(1), OEA focused the Section 106 review on 25 planned capital improvements that CP and KCS intend to add within the existing rail right-of-way (ROW) if the Board authorizes the Proposed Acquisition. The 25 planned capital improvements would include adding 10 new passing sidings, extending 13 existing sidings, adding a section of double track, and adding a section of facility working track along the CPKC network within the rail ROW. The planned capital improvements are the only outcomes of the Proposed Acquisition that could have the potential to affect cultural resources. Of the 25 planned capital improvements, five are located in a county where the Iowa Tribe of Kansas and Nebraska may have a cultural interest.

Capital Improvement Location	County	State
Letts	Louisa	Iowa
Washington/MP 255	Washington	Iowa

Capital Improvement Location	County	State
Moravia	Monroe	Iowa
Ottumwa	Wapello	Iowa
Laredo	Grundy	Missouri

We previously provided you with information regarding the proposed capital improvement in Grundy County, Missouri. As per our previous letter to you dated August 12, 2022, we are following up to provide information regarding the proposed capital improvements in Iowa, which was previously unavailable.

On behalf of OEA, Bear Creek Archeology (BCA), a 4th party contractor of OEA, undertook background research, field survey, and documentation of historic properties within the Area of Potential Effects (APE) for the planned capital improvements.

The APE as defined in 36 C.F.R. § 800.16(d), is the geographic area or areas within which an undertaking may directly or indirectly cause changes in the character or use of historic properties if any such properties exist. The archaeology APE for the Phase I archaeological survey is confined within the existing rail ROW, where ground disturbing activities could potentially occur.

Capital Improvement Location	County	Phase I Results	Recommendation
Letts	Louisa	13LA685	No Further Work Within APE
Washington/MP 255	Washington	Negative	No Further Work Within APE
Moravia	Monroe	Negative	No Further Work Within APE
Ottumwa	Wapello	13WP543	No Further Work Within APE

The Proposed Acquisition and associated planned capital improvements would have no adverse effect on any archaeological resource considered significant or eligible for the National Register. OEA's determinations are supported by the findings presented in the attached report, prepared by BCA. If you have any questions about the reports, or require additional information, please do not hesitate to contact Alan Tabachnick, Historic Preservation Specialist, at alan.tabachnick@stb.gov or 202-245-0367.

Sincerely,



Danielle Gosselin
Director
Office of Environmental Analysis
Surface Transportation Board

Cc: Alan Kelley, Iowa Tribe of Kansas and Nebraska

Attachments:

- Phase I Archeological Investigation for the Proposed Acquisition of the Kansas City Southern Railway by the Canadian Pacific Railway, in Clayton, Clinton, Jackson, Louisa, Monroe, Wapello, and Washington Counties, Iowa