



SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Office of Environmental Analysis

August 3, 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

On behalf of OEA, Vanasse Hangen Brustlin, Inc. (VHB), OEA's third-party contractor, 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. Based on our coordination with you, we understand that your interest in this project is confined to the archaeological APE; however, reporting for the above-ground APE is also included in the attached report. We have provided the reporting for capital improvements in Missouri, and information for Iowa will be sent to you in early September when reporting is complete.

Missouri

The Phase I archaeological survey revisited a previously-recorded archaeological site (23CS102) at the Grandview capital improvement; the results of the field survey determined that the previous finding of the site as not eligible for the National Register of Historic Places (National Register) remained valid. A single Isolated Find was located within the APE for the Asbury capital improvement during the archaeological survey, and this Isolated Find has been determined to be not eligible for the National Register. The Proposed Acquisition and associated planned capital improvements would have no effect on eligible archaeological sites in Missouri, as none were located in the APE.

OEA's determinations are supported by the findings presented in the attached report, prepared by VHB. 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:

- Missouri Cultural Resource Survey Report