



SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Office of Environmental Analysis

October 17, 2022

Dr. Andrea A. Hunter
Tribal Historic Preservation Officer
Osage Nation
627 Grandview Ave.
Pawhuska, Oklahoma 74056

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

Dear Dr. Hunter,

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, 19 are located in a county where the Osage Nation may have a cultural interest.

Capital Improvement Location	County	State
Gentry	Benton	AR
Mena/MP 377	Polk	AR
MP 75	Ogle	IL
Bellevue/MP 24	Jackson	IO
Camanche	Clinton	IO
Deer Creek	Clinton	IO
Mansfield	De Soto	LA
Loring	Sabine	LA
Asbury	Jasper	MO
Blue Valley	Jackson	MO
Grandview	Cass/Jackson	MO
Laredo	Grundy	MO
MP 186	McDonald	MO
MP 341	Livingston	MO
Newton	Sullivan	MO
MP 247	Adair	OK
Cave Springs	Adair	OK
Spiro	Le Flore	OK
Heavener	Le Flore	OK

We previously provided you with information regarding the proposed capital improvements in Arkansas, Illinois, Louisiana, Missouri, and Oklahoma. 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. Within the areas of cultural interest to the Osage Nation, the Phase I Archaeology Survey had negative results.

Capital Improvement Location	County	Phase I Results	Recommendation
Bellevue/MP 24	Jackson	Negative	No Further Work Within APE
Camanche	Clinton	Negative	No Further Work Within APE
Deer Creek	Clinton	Negative	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,

A handwritten signature in black ink, appearing to read "Danielle Gosselin". The signature is fluid and cursive, with the first name "Danielle" written in a larger, more prominent script than the last name "Gosselin".

Danielle Gosselin
Director
Office of Environmental Analysis
Surface Transportation Board

Cc: Deseray Helton, Archaeologist

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