



SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Office of Environmental Analysis

August 12, 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

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. The archaeological survey results for Arkansas, Illinois, Louisiana, Missouri, and Oklahoma are enclosed. Results from the Iowa archaeological survey will be sent to you in early September when reporting is complete. Reporting for the above-ground APE for Louisiana and Illinois are included in the attached reports, and information regarding the above-ground results for Arkansas, Missouri, and Oklahoma will be provided upon request.

Arkansas

The Phase I archaeological survey documented a single Isolated Find within the APE for the planned Gentry capital improvement, and OEA has determined that it is not eligible for the National Register of Historic Places (National Register). No new archaeological sites were recorded within the planned Gentry capital improvement APE. A single new site (3PL1649) was identified within the APE for the planned MP 377 (Mena) capital improvement, and OEA has determined that the

portion of that site located within the APE is not eligible for the National Register. The Proposed Acquisition and associated planned capital improvements would have no effect on eligible archaeological sites in Arkansas, as none were located in the APE.

Illinois

The Phase I archaeological survey did not identify any archaeological sites within the APE. The Proposed Acquisition and associated planned capital improvements would have no effect on eligible archaeological sites in Illinois, as none were located in the APE.

Louisiana

The Phase I Archaeological Survey did not identify archaeological sites at any of the three planned capital improvements. The Proposed Acquisition and associated planned capital improvements would have no effect on eligible archaeological sites in Louisiana, as none were located in the APE.

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 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.

Oklahoma

The Phase I Archaeological Survey identified 13 new archaeological sites within the APE. Of these sites, 11 were determined to lack integrity and significant data potential under Criterion D of the National Register. Two sites, 34AD283 and 34AD286, both located within the APE for the MP 247 (Baron) capital improvement location, were determined eligible for the National Register. These eligible sites are located within the reservation boundaries of the Cherokee Nation. The Proposed Acquisition and associated planned capital improvements would have no adverse effect on the eligible archaeological sites (34AD283 and 34AD286) because the planned new siding at MP 247 (Baron) would be located entirely within the existing limits of the current railroad berm and ballast in the areas adjacent to the eligible archaeological sites. This design would prevent any alterations that would affect the data potential of these sites, which is the quality that makes the properties eligible for the National Register.

OEA's determinations are supported by the findings presented in the attached reports, 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,

A handwritten signature in black ink, appearing to read "Danielle Gosselin". The script is cursive and fluid, with the first name "Danielle" and last name "Gosselin" clearly distinguishable.

Danielle Gosselin
Director
Office of Environmental Analysis
Surface Transportation Board

Cc: Deseray Helton, Archaeologist

Attachments:

- Arkansas Phase I Archaeological Resources Survey
- Illinois Letter Report
- Louisiana Cultural Resource Survey Report
- Missouri Phase I Cultural Resource Survey
- Oklahoma Phase I Archaeological Survey