



SURFACE TRANSPORTATION BOARD

Washington, DC 20423

Office of Environmental Analysis

Date March 3, 2023

Dru Buntin
Director, SHPO
Missouri Department of Natural Resources
1101 Riverside Drive
P.O. Box 176
Jefferson City, MO 65102-0176

Re: SHPO Project No. 005-MLT-23: FD 36500 (Sub-No. 1), Illinois Central Railroad Company – Acquisition of a Line of Railroad Between Kansas City, MO, and Springfield and East St. Louis, IL – Kansas City Southern Railway Company et al.

Dear Mr. Buntin:

The Surface Transportation Board's (Board) Office of Environmental Analysis (OEA) is continuing consultation with your office as required under Section 106 of the National Historic Preservation Act (NHPA) for a proposal by Canadian National Railway Company and its affiliate, Illinois Central Railway Company (collectively, CN) that would involve the addition of new railroad tracks within existing rail rights-of-way (ROW) and in rail yards and intermodal facilities in Missouri and Illinois. This letter requests your preliminary comments on the proposed undertaking, the proposed areas of potential effects (APE) for both direct and indirect project effects, and OEA's survey recommendations for both above and belowground historic properties.

DESCRIPTION OF THE PROPOSED UNDERTAKING

On June 9, 2022, CN filed an amended "responsive" application in Docket No. FD 36500 (Sub-No. 1) requesting that the Board order the sale of the Kansas City Southern Railway (KCS) rail line between Kansas City, Missouri and Springfield and East St. Louis, Illinois (Springfield Line) to CN (Proposed Divestiture) (See figures in Attachment A). CN's filing was submitted in response to a primary application filed jointly by KCS and Canadian Pacific Railway (CP) in Docket No. FD 36500, seeking Board authority for CP to acquire KCS¹. The proposed acquisition of KCS by CP is the subject of a separate and recently completed Section 106

¹ Other responsive applications are pending before the Board in Docket No. FD 36500 (Sub-Nos. 2-4) but are not discussed here because those applications are exempt from Section 106 review under the Board's regulations at 49 C.F.R. § 1105.8(b).

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review.² Should the Board authorize both the primary application and the Proposed Divestiture, then CP would be ordered to sell the Springfield Line to CN upon completion of CP's acquisition of KCS.

Before deciding whether to authorize the Proposed Divestiture, the Board must first assess the potential effects of CN's proposal on historic properties listed on or eligible for listing on the National Register of Historic Place (National Register) in accordance with Section 106 and the Board's regulations at 49 C.F.R. § 1105.8. OEA will conduct the Section 106 review of the Proposed Divestiture separately from, but concurrent with, the recently completed Section 106 review of the proposed acquisition of KCS by CP. Separate Section 106 consultation is relevant as the related proposals involve different railroad applicants and largely distinct sets of potential effects that would occur in different geographic areas.

OEA initiated consultation with your office via a letter sent on November 2, 2022 (SHPO Project No. 005-MLT-23). The purpose of this current letter is to provide your office with additional information regarding the Proposed Divestiture and associated improvements subject to review under Section 106 and to seek your concurrence with OEA's proposed APE and cultural resources survey recommendations for the project segments in Missouri.

PROJECT DESCRIPTION AND PROPOSED AREA OF POTENTIAL EFFECTS

The Proposed Divestiture proceeding requests that the Board order the sale of approximately 370 miles of KCS's Springfield Line in Missouri and Illinois. In connection with the sale of the Springfield Line, CN also seeks a 50 percent equity interest in KCS's International Freight Gateway terminal (IFG Terminal) south of Kansas City (See figures in Attachment A). CN states that the Proposed Divestiture would preserve and enhance competition between Kansas City and Chicago; introduce new single-line rail automotive and intermodal service between Michigan/Eastern Canada and Kansas City; and establish a more direct route for rail traffic between Canada and the Midwest and East St. Louis. CN estimates that more than 80,000 long-haul trucks would be removed from the highways each year as a result of the Proposed Divestiture and that this would generate public benefits by reducing greenhouse gas emissions, highway congestion and maintenance.

According to CN, the Proposed Divestiture would involve operational changes (e.g., an increase in average trains per day) on certain segments of the Springfield Line, as well as some

² The Board issued a Final Environmental Impact Statement (EIS) on the primary application in Docket No. FD 36500 on January 27, 2023, addressing Section 106 and environmental issues as well as public comments on the Draft EIS. Section 3.9, *Cultural Resources* in the Final EIS discusses potential effects of the proposed acquisition of KCS by CP on historic properties. More information regarding the Section 106 review of the proposed acquisition can be found on the Board-sponsored project website (www.CP-KCSMergerEIS.com) or on the Board's website at www.stb.gov by conducting a search for Docket No. FD 36500.

contiguous segments of rail line owned by CN, and changes in the level of activity at some rail yards and intermodal facilities. To support the projected increases in rail traffic, CN plans to make eleven capital improvements within the existing rail ROW in Missouri and Illinois.

In Missouri, these planned improvements include five (5) sidings that would be added or extended at Grain Valley, Blackburn, Harmony, Mexico, and Bowling Green (Table 1; See figures in Attachment A). The sixth planned capital improvement in Missouri involves construction within the existing IFG Terminal railyard. In this location, CN proposes to construct 20,000 feet of track with pad, storage, and accompanying pavement, and 6,600 feet of track for loading/unloading and storage, roadways, railhead parking, and truck areas. No changes are proposed to any existing buildings or structures within the railyard.

Table 1: Planned Capital Improvements in Missouri

Name	Location	Approximate Length/Size	Type of Improvement
Grain Valley	Grain Valley, MO	1.68 Miles	Siding Extension
Blackburn	Blackburn, MO	1.99 Miles	Siding Relocation
Harmony	Harmony, MO	1.73 Miles	Siding Extension
Mexico	Mexico, MO	1.14 Miles	Siding Extension
Bowling Green	Bowling Green, MO	0.34 Mile	Siding Extension
IFG Yard	Grandview, MO	49.30 Acres	Yard Upgrades

Consistent with past practice in railroad acquisition cases, OEA will focus the Section 106 review on the proposed capital improvements that CN would undertake if the Board authorizes the Proposed Divestiture because those improvements are the only components of the Proposed Divestiture that could have the potential to affect cultural resources.

The proposed APE for historic properties was defined in accordance with 36 C.F.R. Part 800, 49 C.F.R. § 1105.8, and precedent established in previous railroad acquisition proceedings. OEA expects that the APEs for the Proposed Divestiture in Missouri would comprise six discontinuous areas corresponding to the six locations where capital improvements are planned. Each component area of each APE would extend the length of the planned capital improvement and the width of the rail ROW to encompass the entire area within which ground disturbing activities could potentially occur. In addition, OEA proposes to add a 500-foot buffer to each component area of the APEs (250 feet on either side of the right-of-way and 250 feet at each end) to account for potential setting, visual, noise, or other impacts from construction activities related to the planned capital improvement. Based on the information available to date, OEA anticipates that all of the construction activity would take place within the existing ROW and

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may be in previously disturbed areas (see figures in Attachment 1 and photographs in Attachment 2).

DESKTOP REVIEW

A desktop review was conducted within the proposed APEs of the six planned capital improvements, and the results are discussed below. The Missouri Department of Natural Resources (MO DNR) online geospatial database was the primary source consulted, providing locational information on previously recorded cultural resources (archaeological sites and architectural resources), cultural surveys, mounds, and cemeteries. Additional sources consulted included the US Geological Survey (USGS) historic map viewer, the National Park Service's National Register online database, Bureau of Land Management General Land Office (GLO) records, and historic period aerial photographs.

No archaeological sites or previous archaeological surveys have been reported within the APE limits of any of the five planned capital improvement siding locations at Grain Valley, Blackburn, Harmony, Mexico, and Bowling Green. There is one previously recorded archaeological site within the APE at the IFG Terminal railyard (Attachment 1: Figure 3a). Site 23CS102 is listed as an historic-era habitation site consisting of architectural remains and a well/cistern structure. The SHPO database identifies the site as ineligible for the NRHP. There have been three previous archaeological surveys that intersect the IFG Terminal APE. These studies include a natural gas pipeline survey (JA-161), a transportation project survey (JA-146), and a cultural resources study for the Richards Gebaur Air Force Base (CS-47/CS-4).

No historic buildings, districts, structures, or objects have been previously recorded within any of the six APEs. In addition, no cemeteries, monuments, or markers, have been documented, based upon the review of desktop online materials. Finally, no National Register-listed resources have been reported in any of the APEs.

CONCLUSIONS AND RECOMMENDATIONS – BELOW-GROUND (ARCHAEOLOGICAL) RESOURCES

Construction of the six planned capital improvements in Missouri would stay within the existing railroad ROW. In addition, all staging would be undertaken from within the existing ROW. Field reconnaissance at the planned new siding locations suggest that much of the natural soils have been disturbed by previous grading for the railroad beds and adjacent ditches. Overall, intact archaeological deposits are unlikely to be preserved in such settings, and the probability of significant sites is considered low. More detailed summaries and information for each of the planned capital improvements follows:

Grain Valley Planned Capital Improvement

The Grain Valley planned capital improvement, which would involve extending an existing passing siding, has a low potential to impact archaeological deposits (Attachment 1: Figure 3b; Attachment 2: Photograph 1). Background research and field reconnaissance has revealed the proposed direct APE has experienced extensive urban buildup. Examples include the construction of a dirt bike racing track, roadways, and previous railroad construction, which created a deep ditch feature seen just south of the current railroad (Attachment 2: Photographs 2-4). Due to this buildup throughout the proposed direct APE and the associated disturbances, it is unlikely that the proposed direct APE has intact archaeological deposits.

Blackburn Planned Capital Improvement

The Blackburn planned capital improvement, which would involve replacing one existing passing siding, has a low potential to impact intact archaeological deposits (Attachment 1: Figure 3c). Background review and field reconnaissance demonstrated the location is situated in a rural environment consisting entirely of anthropogenically modified farmland (Attachment 2: Photograph 5). As such, the area surrounding the proposed direct APE includes extensive terracing and slope towards the rail grade (Attachment 2: Photographs 6-7). Due to the extent of the adjacent land modification and disturbance within the existing proposed direct APE, it is unlikely that the proposed direct APE will have intact archaeological deposits.

Harmony Planned Capital Improvement

The Harmony planned capital improvement, which would involve extending an existing passing siding, has a low potential to affect archaeological resources (Attachment 1: Figure 3d). Background review and field reconnaissance revealed the location is situated in a rural environment south of the Missouri River. The proposed direct APE is on a raised railroad grade approximately 2 meters in height. The raised grade consists of constructed gravels for drainage and stability. The proposed APE is entirely located within the existing railroad bed (Attachment 2: Photograph 8). Since the APE is within a previously disturbed context, it is unlikely to have intact archaeological deposits.

Mexico Planned Capital Improvement

The Mexico planned capital improvement location, which would involve extending an existing passing siding, has low potential to affect intact archaeological deposits (Attachment 1: Figure 3e). Though field reconnaissance revealed the location is situated within a riparian woodland (Attachment 2: Photograph 9), the proposed direct APE is within an area that has been disturbed by previous railroad activities. The railroad is situated on an elevated berm approximately 2 meters tall that is constructed of gravels for drainage and stability (Attachment 2: Photographs 10 and 12). The slope of this segment is steep and can easily be seen from the banks of a rail bridge crossing Davis Creek (Attachment 2: Photograph 11). The proposed capital improvement location is within the current railroad ROW, which is built just north of a second railroad line

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(Attachment 2: Photographs 13 and 14). Due to the fact the proposed location is in a previously disturbed context, it is unlikely to have intact archaeological deposits.

Bowling Green Capital Improvement Location

The Bowling Green proposed capital improvement location, which would involve extending an existing passing siding, also has low potential to affect intact archaeological deposits (Attachment 1: Figure 3f). Background review and field reconnaissance indicates the location is situated on an elevated railroad berm approximately 2 meters tall in agricultural fields (Attachment 2: Photograph 15). The proposed APE includes the buildup of the grade and sloped areas north of the existing railroad (Attachment 2: Photograph 16). The existing railroad ROW is within previously disturbed areas associated with construction of the current line (Attachment 2 Photograph 17). Due to the disturbed context of the proposed direct APE, this planned location is unlikely to have intact archaeological deposits.

IFG Terminal Improvements

The proposed new IFG Terminal Railyard is situated within a built-up suburban environment where soils have been disturbed from prior construction activities in support of railroad infrastructure. Further, much of this area has been previously surveyed between 1983-1997, and the probability of intact archaeological resources is low (Attachment 1: Figure 3a).

CONCLUSIONS AND RECOMMENDATIONS – ABOVEGROUND (ARCHITECTURAL) RESOURCES

No aboveground architectural resources have been previously recorded in the proposed APE of any of the capital improvements. Aside from railroad-related resources, development of built resources in the immediate proximity of the proposed APEs is limited.

All aboveground architectural and resources over 50-years-of-age within the proposed APEs will be documented and evaluated for NRHP eligibility and effect. The assessments will include the segment of the Kansas City Southern Railroad (formerly the Chicago and Alton Railroad) associated with the planned capital improvements. Survey and documentation would be consistent with Missouri SHPO's guidelines and requirements. Please provide any specific information about resource types of concern to your office and/or general documentation requirements for aboveground (architectural) resources.

By submittal of this document and the attachments, the OEA is requesting your input regarding the appropriate level of cultural resources investigations for the Proposed Divestiture. Your professional assistance in identifying additional cultural resource issues or concerns is very much appreciated.

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If you have any questions or require any additional information, please feel free to contact Alan Tabachnick of my staff, at 202-245-0367 or by email at alan.tabachnick@stb.gov. **Please send your responses by April 7, 2022.**

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

Attachment 1: Figures
Attachment 2: Photographs

cc: Alan Tabachnick, FPO, Surface Transportation Board
Steve Thornhill, Burns & McDonnell
Brandy Harris, Burns & McDonnell

ATTACHMENT 1 – FIGURES

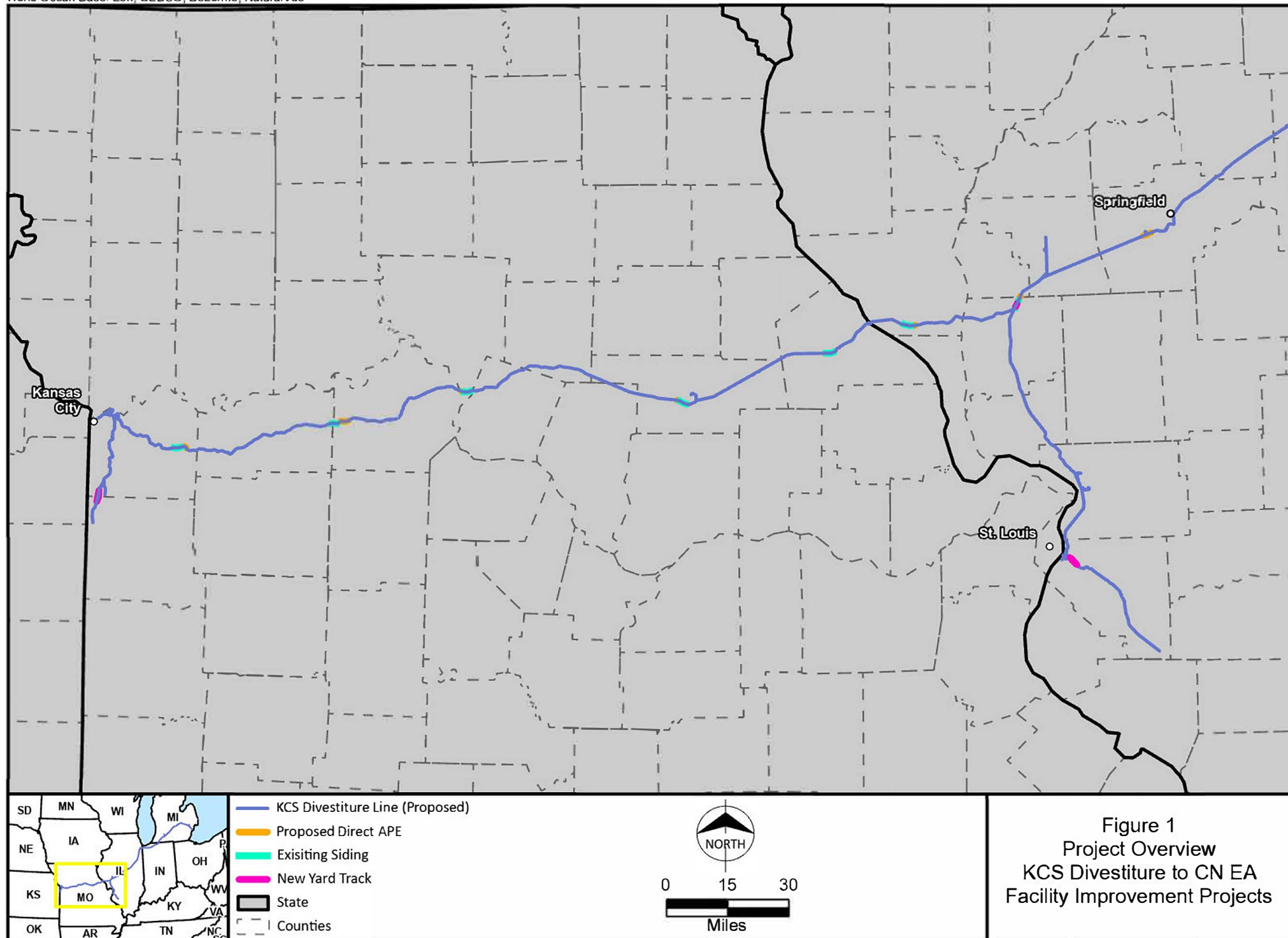
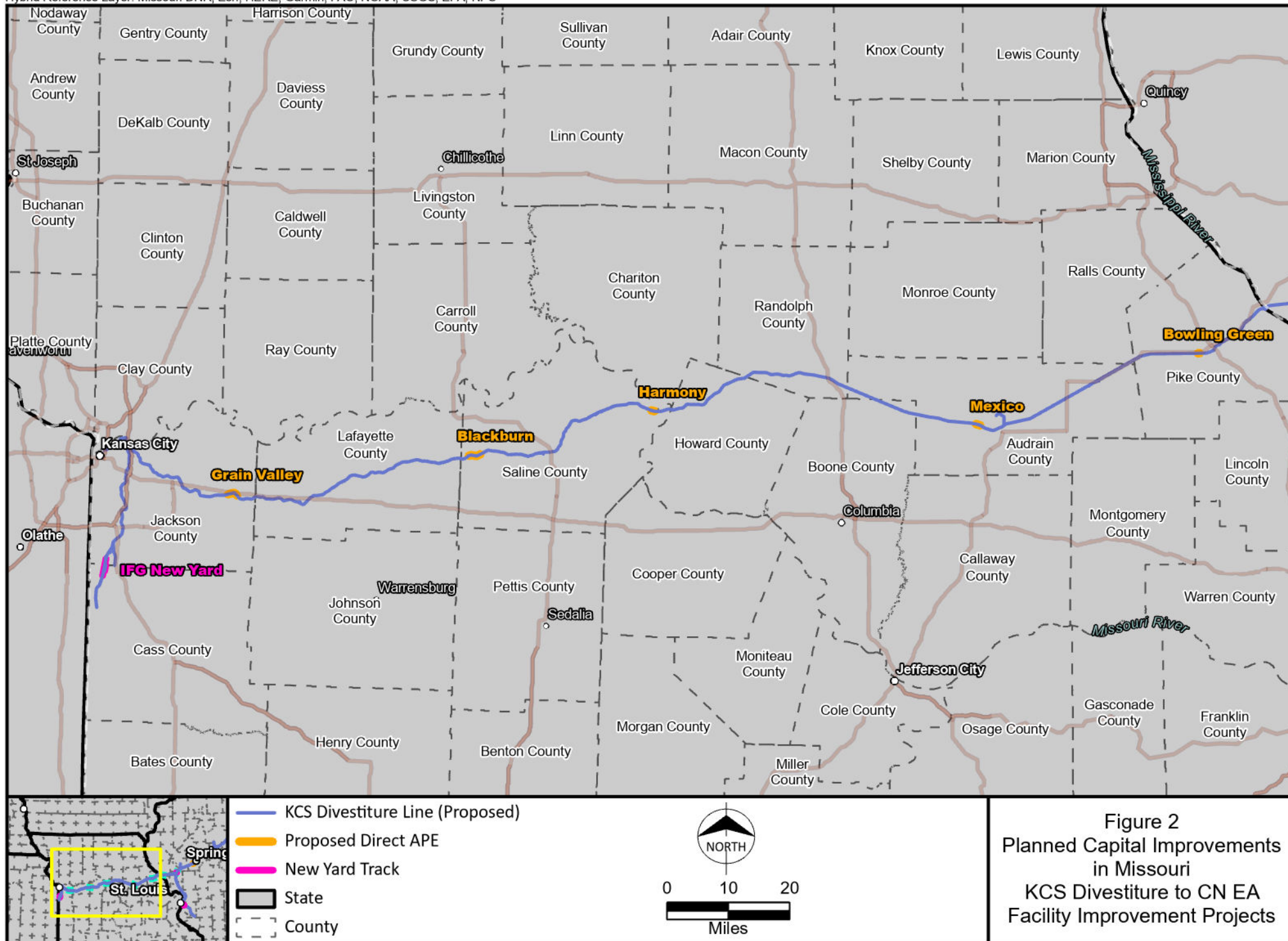
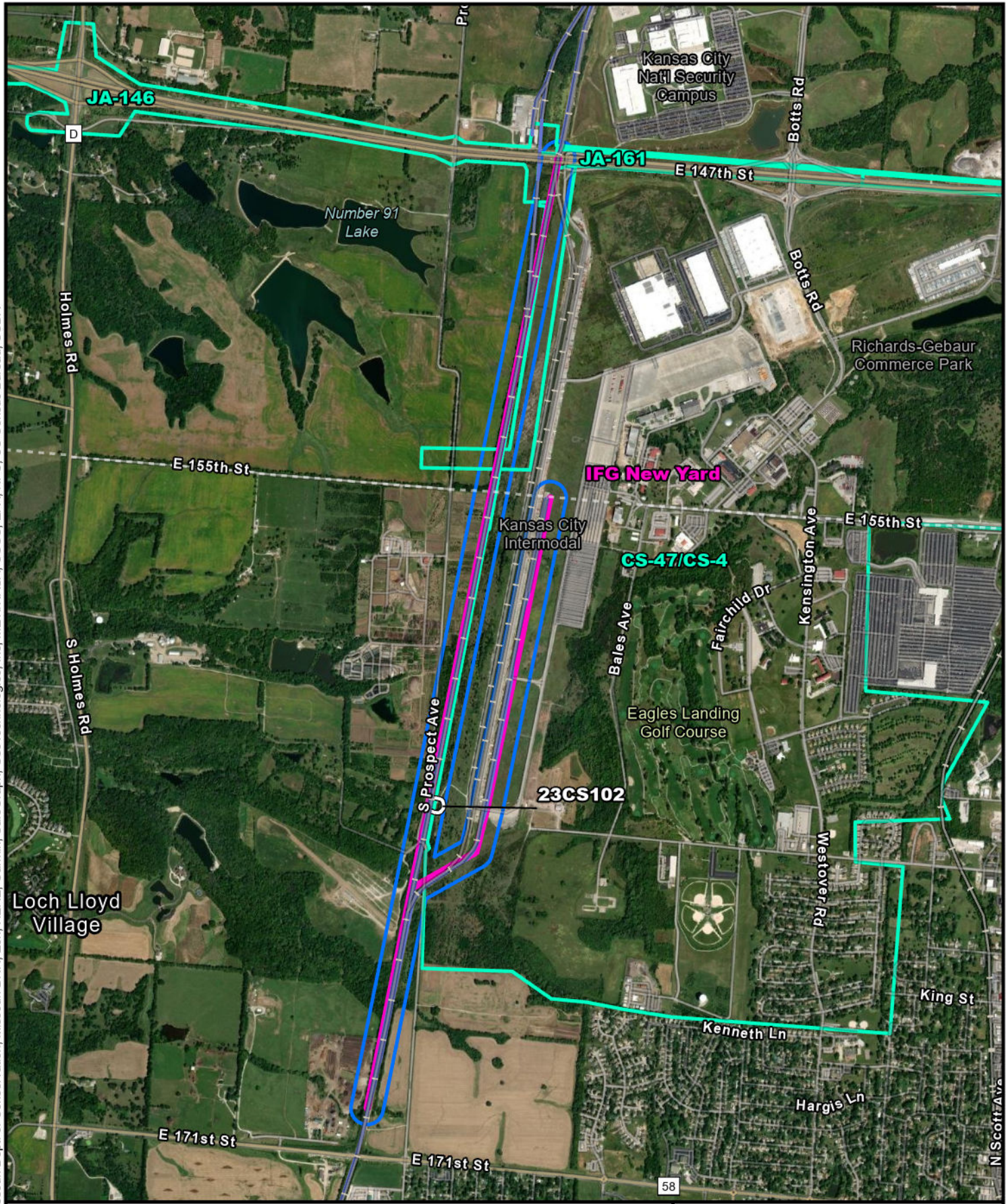


Figure 1
 Project Overview
 KCS Divestiture to CN EA
 Facility Improvement Projects



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Service Layer Credits: World Imagery: Maxar
Hybrid Reference Layer: Missouri DNR, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA



KCS Divestiture Line (Proposed)

New Yard Track

Proposed Indirect APE

Previously Recorded Archaeological Site

Previous Archaeological Survey

NORTH

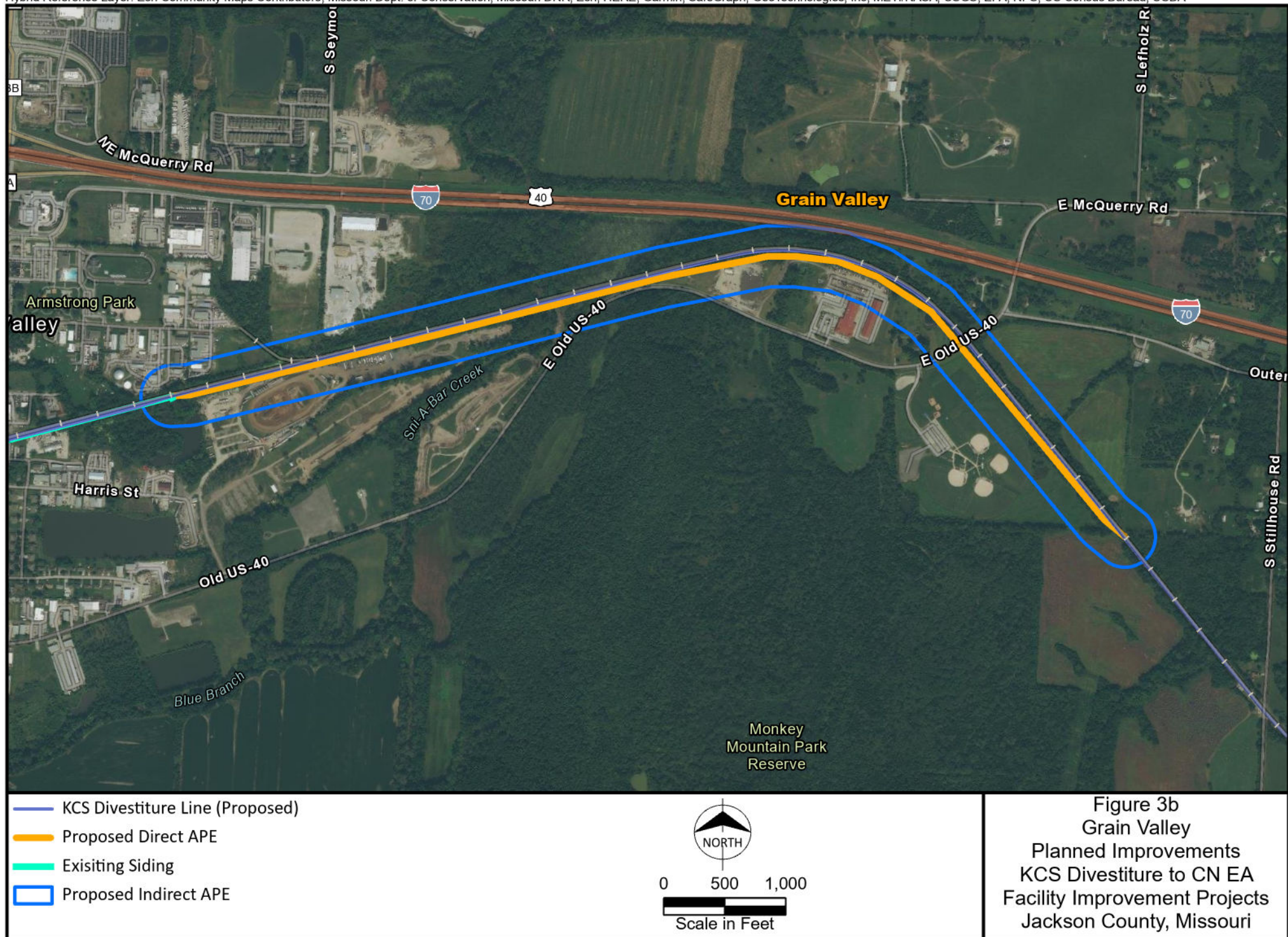
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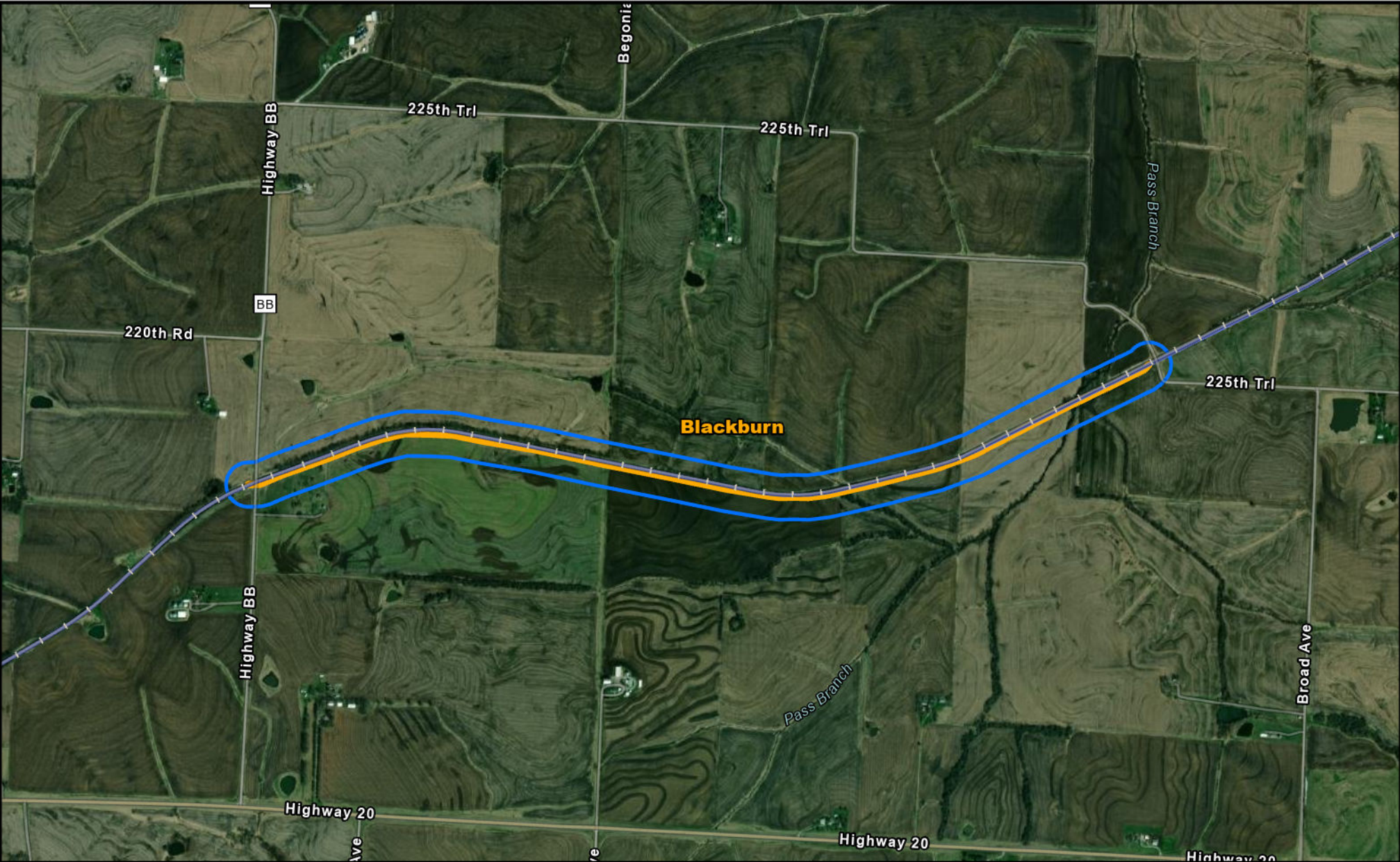
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Scale in Feet

Figure 3a
IFG New Yard
Planned Improvements
KCS Divestiture to CN EA
Facility Improvement Projects
Cass & Jackson County, Missouri





- KCS Divestiture Line (Proposed)
- Proposed Direct APE
- Proposed Indirect APE

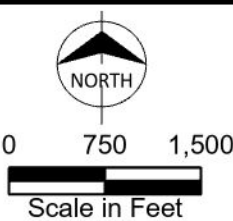
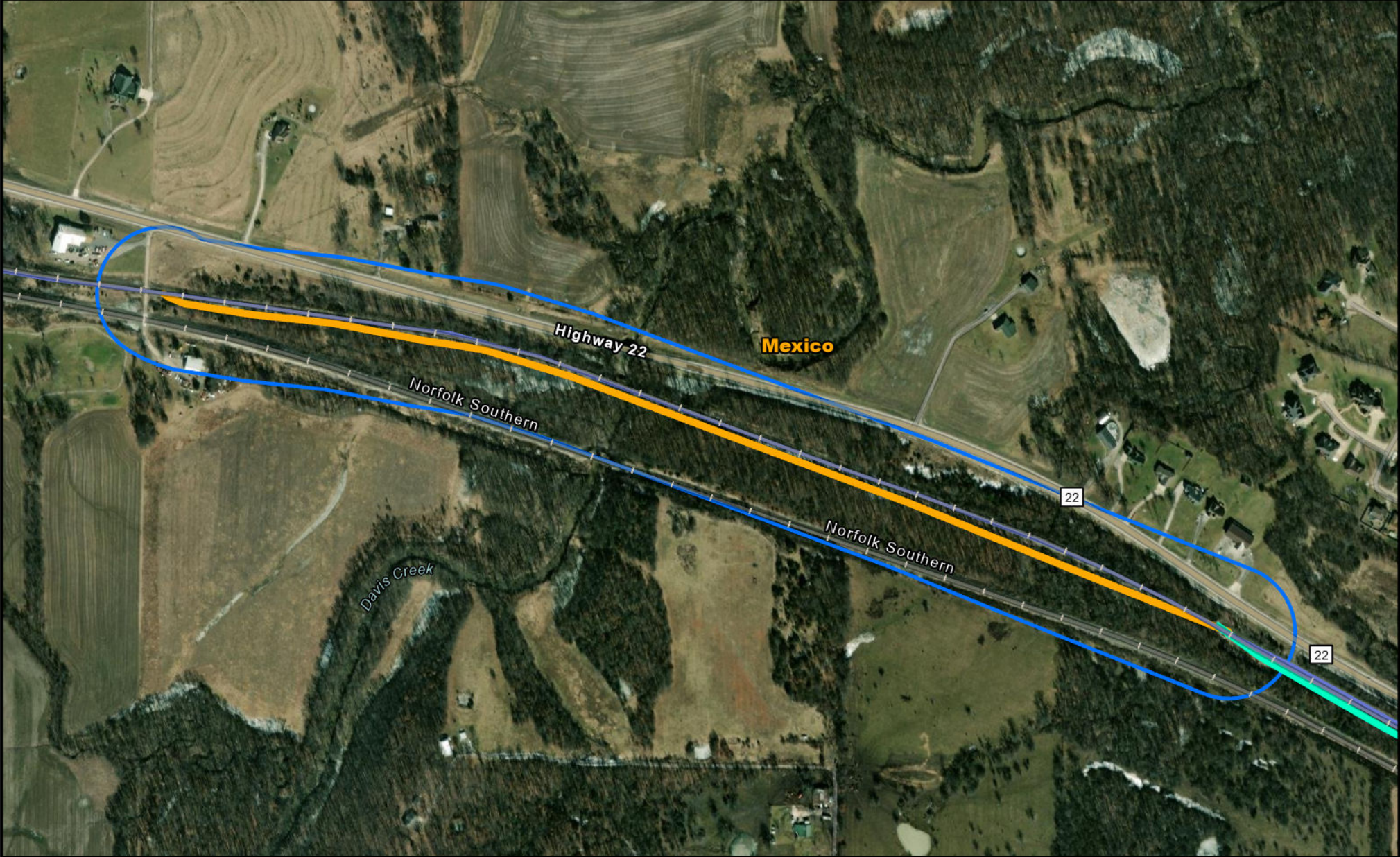


Figure 3c
Blackburn
Planned Improvements
KCS Divestiture to CN EA
Facility Improvement Projects
Saline County, Missouri



Figure 3d
Harmony
Planned Improvements
KCS Divestiture to CN EA
Facility Improvement Projects
Saline County, Missouri



- KCS Divestiture Line (Proposed)
- Proposed Direct APE
- Existing Siding
- Proposed Indirect APE

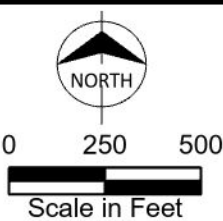


Figure 3e
Mexico
Planned Improvements
KCS Divestiture to CN EA
Facility Improvement Projects
Audrain County, Missouri

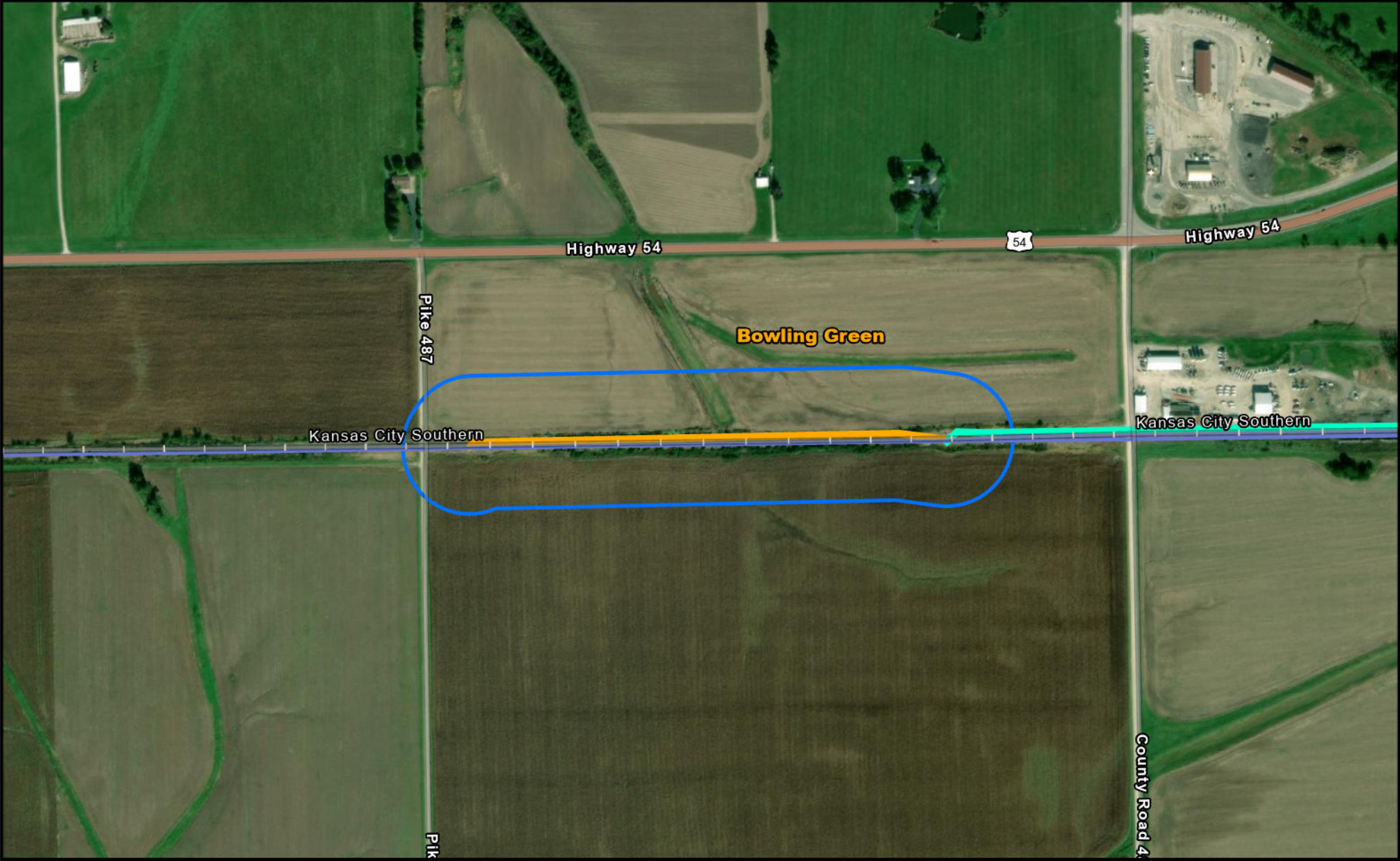


Figure 3f
Bowling Green
Planned Improvements
KCS Divestiture to CN EA
Facility Improvement Projects
Pike County, Missouri

ATTACHMENT 2 – PHOTOGRAPHS



Photograph 1: Overview of planned Grain Valley Capital Improvement ROW; Camera facing east



Photograph 2: Overview of planned Grain Valley Capital Improvement ROW with view of adjacent dirt bike track; Camera facing south



Photograph 3: Overview of planned Grain Valley Capital Improvement ROW with view of built-up road and associated fill; Camera facing south



Photograph 4: Overview of planned Grain Valley Capital Improvement ROW showing adjacent ditch (foreground) and road (background); Camera facing south



Photograph 5: Overview of planned Blackburn Capital Improvement ROW;
Camera facing east



Photograph 6: Overview from the planned Blackburn Capital Improvement
ROW showing field terracing; Camera facing south



Photograph 7: Overview of the planned Blackburn Capital Improvement ROW illustrating slope, raised railroad grade, and agricultural terracing; Camera facing south



Photograph 8: Overview of the planned Harmony Capital Improvement ROW; Camera facing east



Photograph 9: Overview of the planned Mexico Capital Improvement ROW;
Camera facing north



Photograph 10: Overview of the planned Mexico Capital Improvement ROW; Camera
facing east

A



Photograph 11: Overview of the planned Mexico Capital Improvement ROW showing fill and bridge structure over Davis Creek; Camera facing east



Photograph 12: Overview of the planned Mexico Capital Improvement ROW; Camera facing east



Photograph 13: Overview of the planned Mexico Capital Improvement ROW showing adjacent rail line; Camera facing south



Photograph 14: Overview of the planned Mexico Capital Improvement ROW showing adjacent rail line; Camera facing south



Photograph 15: Overview of the planned Bowling Green Capital Improvement ROW; Camera facing west



Photograph 16: Overview of the planned Bowling Green Capital Improvement ROW illustrating slope and elevated railroad grade; Camera facing north



Photograph 17: Overview of the planned Bowling Green Capital Improvement ROW; Camera facing east-northeast