SHPO AND THPO CORRESPONDENCE



P. O. Box 571 Jackson, MS 39205-0571 601-576-6850 mdah.ms.gov

May 11, 2021

Mr. Michael Johnsen Federal Railroad Administration 1200 New Jersey Avenue, SE Washington, DC 20590

RE: A Phase I Cultural Resources Survey of the Proposed North Rail Connector Project

Sections 20 and 29, T7S, R5W (FRA) MDAH Project Log #04-060-21 (01-084-21)

(11-119-20), Report #21-0112, Jackson County

Dear Mr. Johnsen:

We have reviewed the April 8, 2021, cultural resources survey report by Bradley Carlock, Principal Investigator, with the Cobb Institute of Archaeology, received on April 13, 2021, for the above referenced undertaking, pursuant to our responsibilities under Section 106 of the National Historic Preservation Act and 36 CFR Part 800. After review, we concur that site 22Ja823 is ineligible for listing in the National Register of Historic Places and no cultural resources listed in or eligible for listing in the NRHP are likely to be affected by the proposed project. As such, we have no reservations with the undertaking.

Please provide a copy of this letter to Mr. Carlock. If you have any questions, please do not hesitate to contact me.

Sincerely,

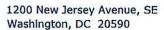
Hal Bell

Review and Compliance Officer

FOR: Katie Blount

Hal Bell

State Historic Preservation Officer





Federal Railroad Administration

April 13, 2021

Mr. Hal Bell Review and Compliance Officer Mississippi Department of Archives & History P.O. Box 571 Jackson, MS 39205-0571

Dear Mr. Bell:

The Federal Railroad Administration (FRA) is providing a grant to the Jackson County Port Authority (JCPA) for the North Rail Connector Project (the Proposed Project), which is an undertaking pursuant to Section 106 of the National Historic Preservation Act of 1966, as amended (54 U.S.C. 306108) and implementing regulations (36 CFR Part 800). The U.S. Corps of Army Engineers (USACE) also has a Clean Water Act Section 404 permitting role in the Proposed Project, and designated FRA as the lead federal agency for Section 106 consultation per 36 CFR 800.2(a)(2). The purpose of this letter is to seek concurrence on FRA's determination of No Historic Properties Affected for the Proposed Project.

Project Description

The purpose of the Proposed Project is to provide additional railroad capacity and connectivity between existing infrastructure to support the growing needs of the Port of Pascagoula, Bayou Casotte Harbor. Currently, freight trains that travel from the north on the MSE line must pass through downtown Moss Point and Pascagoula to the Pascagoula Interchange to join CSX rail. This operation regularly blocks vehicular traffic and creates delays at four major roadway intersections. Also, the curve alignment from the existing MSE line entering into the Moss Point Industrial and Technology Complex (MPITC) is too tight for the expected length of train to travel through that area safely. The Proposed Project is needed to remove operational conflicts between railroads, reduce congestion, and accommodate the proposed restoration of passenger rail service.

JCPA proposes to construct a rail line to connect an existing rail owned by Mississippi Export Railroad (MSE) that crosses over the Escatawpa River in Moss Point, Mississippi to an existing JCPA-owned rail line that crosses through the MPITC and provides access to the Port of Pascagoula, Bayou Casotte Harbor. The Proposed Project would construct approximately 3,659 liner feet with 2,852 feet of elevated rail (top of rail varies from 5-7 feet elevation) and 807 feet of rail constructed on fill or existing uplands. There would be approximately 2,649 cubic yards of fill at the pile abutments for the elevated rail and in an area of estuarine wetlands. Approximately 0.90 acres of wetlands will be filled associated with the project. An existing grade crossing on Orange Grove Road would be relocated approximately 475 feet to the west to allow for the curve needed to accommodate the train lengths and speed. The existing MSE rail at the west end would need to be adjusted to allow insertion of a turn out to join with the new elevated rail line. For construction, a 1-acre staging area would be established within the MPITC in a previously disturbed area that was recently used for the same purpose.

Mr. Hal Bell Mississippi Department of Archives & History April 9, 2021 Page 2

Construction work includes:

- New elevated rail on pilings: A portion of the rail line will be constructed on pilings. This segment will extend from the existing MSE rail line that crosses over the Escatawpa River to an area that will be constructed on uplands. Work will be conducted from the existing rail and includes pile driving and construction of rail segments. A sheet pile retaining wall will be driven at the abutments. Fill will be added at the abutments for each elevated section. A turn out will be constructed from the existing rail line at the north end and the existing rail will be adjusted to allow for the turn-out.
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- Move grade crossing: An existing grade crossing over Orange Grove Road will be relocated to accommodate the curves required to allow the new rail to join existing rail.

Project Location and Area of Potential Effect (APE)

The Proposed Project is located in Section 19, Township 7 South, and Range 5 West of Jackson County, MS. The approximate center point of the proposed modified rail is at 30.415546 degrees latitude and - 88.514452 degrees longitude (Figure 1). The new rail extends from mile post 2.89 (30.251207/-88.310005) on the north and extends to mile post 2.05 (30.413308/-88.508269) on the east where it joins existing rail. A topographic Map is shown on Figure 2. Detailed project maps are included in Attachment 1.

As defined in 36 CFR § 800.16(d), the Area of Potential Effects (APE) means "the geographic area or areas within which an undertaking may directly or indirectly cause alteration in the character of use of historic properties if such properties exist. The area of potential effects is influenced by the scale and nature of the undertaking and may be different for different kinds of effects caused by the undertaking."

The archaeological APE is associated with the most direct effects on cultural resources, as it is the area that will have significant above-ground clearing as well as subsurface soil disturbance before and during construction. In a comment letter dated December 11, 2020 and sent to the Mississippi Department of Marine Resources, MDAH states that "a cultural resource survey is needed only in areas of the APE where fill will be placed." This is most likely due to the fact that, although some elements of construction will take place outside of the rail line footprint, this will consist only of construction activities with practically no subsurface disturbance, e.g., movement of fill dirt. Therefore, the definition of the archaeological APE for the current project takes into account MDAH's comments and only includes the rail line's footprint.

As the current project is anywhere from 0-950 ft. (0-290 m) from an already existing rail line, any nearby historic properties have already been subject to the current rail line's indirect effects, as defined earlier. Therefore, in consultation with MDAH, the architectural APE was defined as encompassing a 50-foot buffer around the archaeological APE in areas of new construction. All historic or potentially historic properties were evaluated that fell within this area.

Mr. Hal Bell Mississippi Department of Archives & History April 9, 2021 Page 3

Identification of Historic Properties

A Phase I Cultural Resource Survey (CRS) was conducted for the Proposed Project to identify and assess effects to historic properties (Attachment 2). The CRS indicated the existing rail line footprint in the Proposed Project area was an identified archaeological site (22JA823) but was not eligible for listing in the National Register of Historic Places. No historic properties were identified within the architectural or archaeological APE. FRA is also sending this communication to Tribes that may attach cultural or religious significance to the APE.

Determination of Effect to Historic Properties

Based on the findings of the CRS and pursuant to 36 CFR 800.4(d)(1), FRA has determined that there are no historic properties affected by the Proposed Project, as no historic properties are present within the above-ground APE or the archaeological APE. FRA requests concurrence with its finding within 30 calendar days from the date on this letter. If FRA does not receive a response within 30 days, we will assume there is no objection to the finding and will proceed with the undertaking. If you have questions, please contact Amanda Murphy, FRA Environmental Protection Specialist at 202-339-7231 or Amanda.murphy2@dot.gov. Thank you for your cooperation on this project.

Sincerely,

MICHAEL M JOHNSEN Digitally signed by MICHAEL M JOHNSEN Date: 2021.04.13 08:27:04 -04'00'

Michael Johnsen

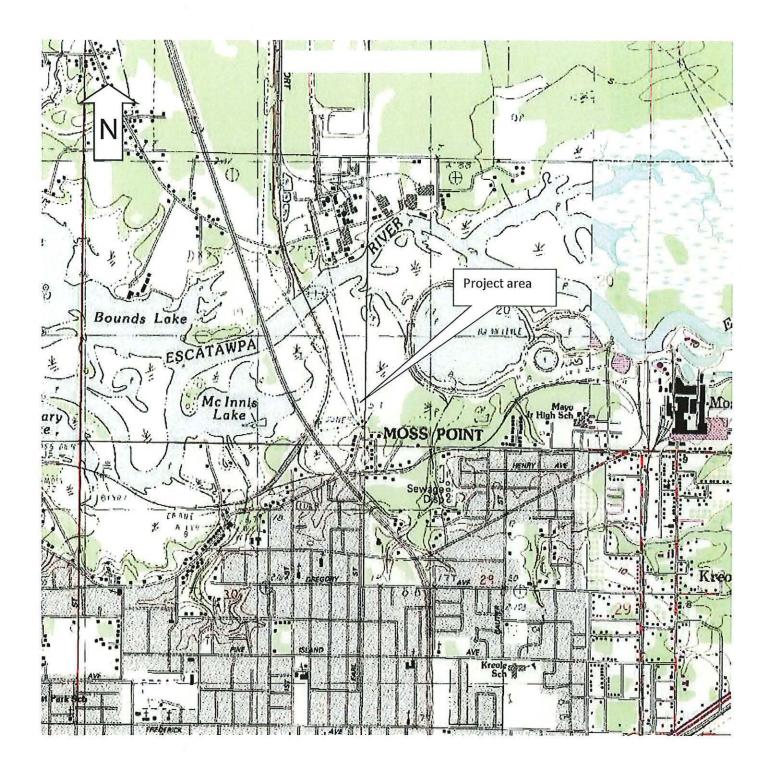
Supervisory Environmental Protection Specialist Environmental & Corridor Planning Division Office of Railroad Policy and Development

cc. Amanda Murphy, FRA
Rudolph Villarreal, USACE
Mark McAndrews, Jackson County Port Authority

Figures and Attachments

Figure 1 – Project Location Map
Figure 2 – Topographic Map
Attachment 1 – Project Plans
Attachment 2 – Cultural Resources Survey Report







Site: Proposed North Rail Connector Project Moss Point, Jackson County, MS

Figure 2 - Topographic Map (Map Source: USGS, 2012)

Appendix ID:

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From: Murphy, Amanda (FRA)

To: Lisa D. Morrison

Cc: Sandy Feathers; Dixon, Marc (FRA)

Subject: FW: Section 106 Consultation: North Rail Connector (Jackson County, MS)

Date: Wednesday, May 12, 2021 10:42:16 AM

From: Murphy, Amanda (FRA)

Sent: Wednesday, May 12, 2021 11:41 AM **To:** Lindsey Bilyeu < lbilyeu@choctawnation.com>

Subject: RE: Section 106 Consultation: North Rail Connector (Jackson County, MS)

Thank you very much. We appreciate your review, and will note the inadvertent discovery procedure in the Environmental Assessment we are preparing for this project.

Amanda Murphy, MAHP
Environmental Protection Specialist
Federal Railroad Administration
202-339-7231 (cell)
Amanda.murphy2@dot.gov

From: Lindsey Bilyeu [mailto:lbilyeu@choctawnation.com]

Sent: Wednesday, May 12, 2021 11:25 AM

To: Murphy, Amanda (FRA) amanda.murphy2@dot.gov>

Subject: RE: Section 106 Consultation: North Rail Connector (Jackson County, MS)

CAUTION: This email originated from outside of the Department of Transportation (DOT). Do not click on links or open attachments unless you recognize the sender and know the content is safe.

Ms. Murphy,

The Choctaw Nation of Oklahoma thanks the FRA for the correspondence regarding the above referenced project. Jackson Co., MS lies in our area of historic interest. The Choctaw Nation Historic Preservation Department has reviewed the project's information and we concur with the finding of "no historic properties affected". However, we ask that work be stopped and our office contacted immediately in the event that Native American artifacts or human remains are encountered.

If you have any questions, please contact me.

Thank you,

Lindsey D. Bilyeu, MS
Senior Section 106 Reviewer
Choctaw Nation of Oklahoma
Historic Preservation Department
Officer (CSO) 024 8280

Office: (580) 924-8280

Cell: (580) 740-9624

From: Murphy, Amanda (FRA) amanda.murphy2@dot.gov>

Sent: Tuesday, April 13, 2021 10:52 AM

To: Ian Thompson < ithompson@choctawnation.com >

Cc: Lindsey Bilyeu < librareal@usace.army.mil; Villarreal, Rudolph C CIV USARMY CESAM (USA) < Rudolph.C.Villarreal@usace.army.mil; Dixon, Marc (FRA) < marc.dixon@dot.gov; Lisa D. Morrison

</morrison@comptonengineering.com>

Subject: Section 106 Consultation: North Rail Connector (Jackson County, MS)

Halito: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Dr. Thompson,

Attached is Section 106 consultation communication for the North Rail Connector Project in Pascagoula, MS (Jackson County). Please let me know if you have any comments or questions.

Thank you very much,

Amanda Murphy, MAHP Environmental Protection Specialist Federal Railroad Administration 202-339-7231 (cell) Amanda.murphy2@dot.gov

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U.S. Department of Transportation

1200 New Jersey Avenue, SE Washington, DC 20590

Federal Railroad Administration

April 13, 2021

Dr. Ian Thompson Tribal Historic Conservation Officer Choctaw Nation of Oklahoma P.O. Box 1210 Durant, OK 74701

Dear Dr. Thompson:

The Federal Railroad Administration (FRA) is providing a grant to the Jackson County Port Authority (JCPA) for the North Rail Connector Project (the Proposed Project), which is an undertaking pursuant to Section 106 of the National Historic Preservation Act of 1966, as amended (54 U.S.C. 306108) and implementing regulations (36 CFR Part 800). The U.S. Corps of Army Engineers (USACE) also has a Clean Water Act Section 404 permitting role in the Proposed Project, and designated FRA as the lead federal agency for Section 106 consultation per 36 CFR 800.2(a)(2). This letter is being transmitted to initiate the Section 106 consultation process for the undertaking, to seek information on historic properties of religious or cultural significance to your Tribe, and to notify you of FRA's determination.

Project Description

The purpose of the Proposed Project is to provide additional railroad capacity and connectivity between existing infrastructure to support the growing needs of the Port of Pascagoula, Bayou Casotte Harbor. Currently, freight trains that travel from the north on the MSE line must pass through downtown Moss Point and Pascagoula to the Pascagoula Interchange to join CSX rail. This operation regularly blocks vehicular traffic and creates delays at four major roadway intersections. Also, the curve alignment from the existing MSE line entering into the Moss Point Industrial and Technology Complex (MPITC) is too tight for the expected length of train to travel through that area safely. The Proposed Project is needed to remove operational conflicts between railroads, reduce congestion, and accommodate the proposed restoration of passenger rail service.

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Dr. Ian Thompson Choctaw Nation of Oklahoma April 9, 2021 Page 2

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Dr. Ian Thompson Choctaw Nation of Oklahoma April 9, 2021 Page 3

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Determination of Effect to Historic Properties

Based on the findings of the CRS and pursuant to 36 CFR 800.4(d)(1), FRA determined that there are no historic properties affected by the Proposed Project. FRA respectfully requests your input regarding any historic properties that have religious and cultural significance to your Tribe that may be affected by the project. Response and comments are requested within 30 days of receipt of this letter. If you have comments or would like to request Government to Government consultation, please contact Amanda Murphy, FRA Environmental Protection Specialist at 202-339-7231 or Amanda.murphy2@dot.gov. Thank you for your cooperation on this project.

Sincerely,

MICHAEL M JOHNSEN Digitally signed by MICHAEL M

Date: 2021,04,13 08:22:55 -04'00'

Michael Johnsen

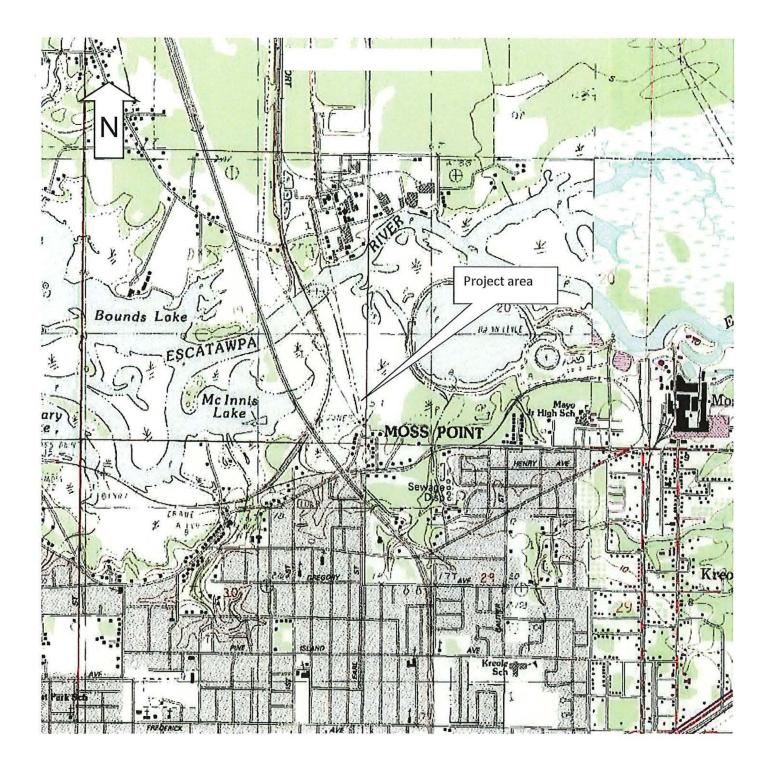
Supervisory Environmental Protection Specialist Environmental & Corridor Planning Division Office of Railroad Policy and Development

cc. Amanda Murphy, FRA
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Mark McAndrews, Jackson County Port Authority

Figures and Attachments

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From:

Murphy, Amanda (FRA)

To:

Lisa D. Morrison; Villarreal, Rudolph C CIV USARMY CESAM (USA)

Subject:

FW: Section 106 Consultation: North Rail Connector (Jackson County, MS)

Date:

Friday, June 11, 2021 3:39:08 PM

From: Carleton, Ken < KCarleton@choctaw.org>

Sent: Friday, June 11, 2021 4:24 PM

To: Murphy, Amanda (FRA) <amanda.murphy2@dot.gov>

Subject: RE: Section 106 Consultation: North Rail Connector (Jackson County, MS)

CAUTION: This email originated from outside of the Department of Transportation (DOT). Do not click on links or open attachments unless you recognize the sender and know the content is safe.

I have reviewed the information provided for the above referenced undertaking and Concur with your findings of no historic properties affected.

Kenneth H. Carleton

THPO/Archaeologist
Mississippi Band of Choctaw Indians
P.O. Box 6010, Choctaw, MS 39350
Or: Forestry Bld, 101 Lagoon Road
601.650.7316
kcarleton@choctaw.org

← new P.O. Box, please update your files!

From: Murphy, Amanda (FRA) amanda.murphy2@dot.gov>

Sent: Tuesday, April 13, 2021 11:51 AM

To: Carleton, Ken < KCarleton@choctaw.org>

Cc: Villarreal, Rudolph C CIV USARMY CESAM (USA) < <u>Rudolph.C.Villarreal@usace.army.mil</u>>; Dixon, Marc (FRA) < <u>marc.dixon@dot.gov</u>>; Lisa D. Morrison < <u>lmorrison@comptonengineering.com</u>>

Subject: Section 106 Consultation: North Rail Connector (Jackson County, MS)

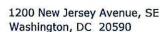
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U.S. Department of Transportation

Federal Railroad Administration

April 13, 2021

Mr. Ken Carleton Tribal Historic Preservation Officer MS Band of Choctaw Indians 101 Industrial Road Choctaw, MS 39530

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A Phase I Cultural Resource Survey (CRS) was conducted for the Proposed Project to identify and assess effects to historic properties (Attachment 2). The CRS indicated the existing rail line footprint in the Proposed Project area was an identified archaeological site (22JA823) but was not eligible for listing in the National Register of Historic Places. No historic properties were identified within the architectural or archaeological APE.

Determination of Effect to Historic Properties

Based on the findings of the CRS and pursuant to 36 CFR 800.4(d)(1), FRA determined that there are no historic properties affected by the Proposed Project, as no historic properties are present within the above-ground APE or the archaeological APE. FRA respectfully requests your input regarding any historic properties that have religious and cultural significance to your Tribe that may be affected by the project. Response and comments are requested within 30 days of receipt of this letter. If you have questions, please contact Amanda Murphy, FRA Environmental Protection Specialist at 202-339-7231 or Amanda.murphy2@dot.gov. Thank you for your cooperation on this project.

Sincerely,

MICHAEL M JOHNSEN Digitally signed by MICHAEL M JOHNSEN Date: 2021.04,13 08:25:27 -04'00'

Michael Johnsen

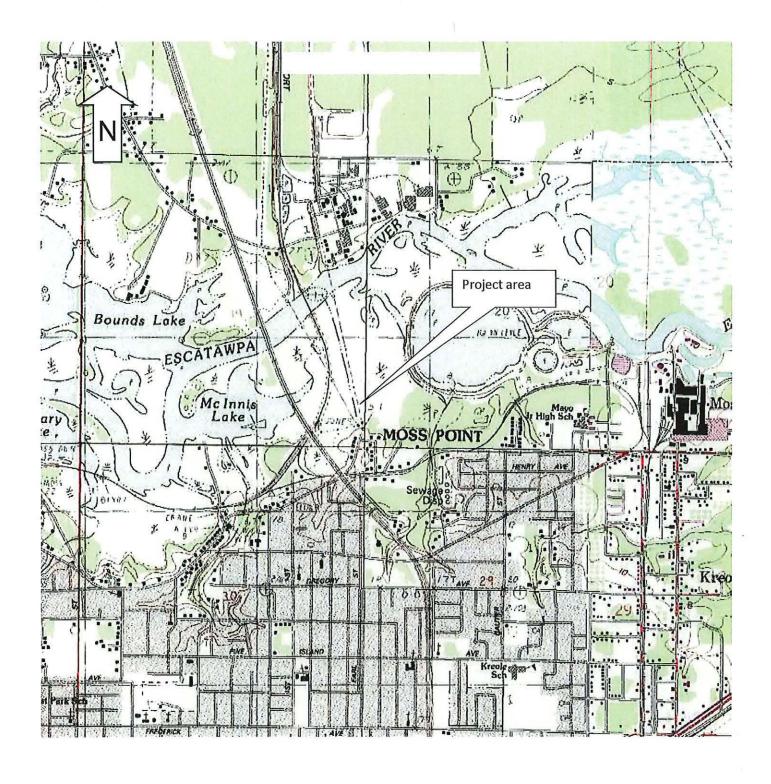
Supervisory Environmental Protection Specialist Environmental & Corridor Planning Division Office of Railroad Policy and Development

cc. Amanda Murphy, FRA
Rudolph Villarreal, USACE
Mark McAndrews, Jackson County Port Authority

Figures and Attachments

Figure 1 – Project Location Map
Figure 2 – Topographic Map
Attachment 1 – Project Plans
Attachment 2 – Cultural Resources Survey Report







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Proposed North Rail Connector Project Site: Moss Point, Jackson County, MS

Figure 2 - Topographic Map (Map Source: USGS, 2012)

Appendix ID:

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