

**U.S. Department of Transportation  
FEDERAL RAILROAD ADMINISTRATION**

**Camp Hall Industrial Corridor Project  
FINDING OF NO SIGNIFICANT IMPACT**

Submitted Pursuant to 42 U.S.C. 4332 (2)(c)

By the

U.S. Department of Transportation

Federal Railroad Administration

and

South Carolina Department of Commerce, Division of Public Railways (Palmetto Railways)

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# Acronyms

APE	Area of Potential Effects
CFR	Code of Federal Regulations
Cross Option 3	Preferred Alternative
CSXT	CSX Transportation, Inc.
DA	Department of the Army
EA	Environmental Assessment
ESA	Endangered Species Act
FEMA	Federal Emergency Management Administration
FONSI	Finding of No Significant Impact
FR	Federal Register
FRA	Federal Railroad Association
I-	Interstate
INFRA	Infrastructure for Rebuilding America
NEPA	National Environmental Policy Act
NHPA	National Historic Preservation Act
NMFS	National Marine Fisheries Service
NPDES	National Pollutant Discharge Elimination System
NRHP	National Register of Historic Places
OEA	Office of Environmental Analysis
Project	Camp Hall Industrial Corridor Project
Section 4(f)	Section 4(f) of the United States Department of Transportation Act (49 U.S.C. § 303)
SHPO	State Historic Preservation Officer
STB	Surface Transportation Board
U.S.C.	United States Code
USACE	U.S Army Corps of Engineers
USDOT	U.S. Department of Transportation
USFWS	U.S. Fish and Wildlife Service
USGS	U.S. Geological Survey
Volvo Cars	Volvo Cars of North America
WMAs	Wildlife Management Areas

# Chapter 1

## Introduction

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The South Carolina Department of Commerce, Division of Public Railways (doing business as Palmetto Railways)<sup>1</sup> is proposing to construct and operate the Camp Hall Industrial Corridor Project (Project). The Project includes construction of a 22.7-mile freight rail corridor from the Camp Hall Commerce Park in Berkeley County, South Carolina, traveling north and east to a connection with the CSX Transportation, Inc. (CSXT) rail network near the Santee Cooper Cross Generating Station in Pineville, South Carolina.

Federal permits were required from the Surface Transportation Board (STB) and the U.S Army Corps of Engineers (USACE) to proceed with the construction of the Project:

- Palmetto Railways filed an exemption petition with the STB under 49 United States Code (U.S.C.) Section 10502 to construct and operate a rail line.
- Palmetto Railways applied for a Department of the Army (DA) permit from the USACE under Section 404 of the Clean Water Act of 1977 (33 U.S.C. § 1251) because construction of the Project will require the discharge of fill material into waters of the United States.

Since federal permits were required, the National Environmental Policy Act of 1969 (42 U.S.C. § 4321 et seq.) (NEPA) applied. To comply with NEPA, STB and USACE acting as joint lead agencies prepared an Environmental Assessment (EA) for the Camp Hall Rail Line proposed by Palmetto Railways. The U.S. Department of Transportation (USDOT) Federal Railroad Association (FRA) acted as a cooperating agency because FRA anticipated that Palmetto Railways would apply for a grant to help fund the proposed rail line; and, on July 12, 2018, the FRA accepted the Board's invitation to be a cooperating agency. As noted in the Final EA, FRA used the Draft and Final EAs to fulfill its NEPA responsibilities related to this Project and is now issuing a separate Finding of No Significant Impact (FONSI).

The Board's Office of Environmental Analysis (OEA) and USACE jointly issued a Draft EA on November 30, 2018, analyzing the potential environmental impacts of the proposal and requesting public comments, as required by NEPA (OEA and USACE 2018). A Final EA, containing responses to the comments received on the Draft EA, was issued on April 30, 2019 (OEA and USACE 2019). The Final EA recommended measures, including voluntary mitigation measures proposed by Palmetto Railways, to avoid, minimize, or mitigate the potential environmental impacts of the proposed construction and operation of the Project. On May 6, 2019, USACE issued Department of the Army (DA) permit SAC-2016-01395 authorizing the Palmetto Railways to discharge fill material into waters of the United States. On July 22, 2019, the Board granted the exemption Palmetto Railways requested, authorizing it to construct and operate the rail line, subject to the environmental mitigation measures set forth in the Final EA.

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<sup>1</sup> In the Draft EA and Final EA Palmetto Railways is referred to as the Applicant.

On March 18, 2021, Palmetto Railways requested federal funding through the Infrastructure for Rebuilding America (INFRA) grant program administered by FRA to construct the Project. FRA must comply with the NEPA (42 U.S.C. § 4321 et seq.) prior to authorizing Palmetto Railways to use federal funds. Since the EA conformed to FRA NEPA guidance at 64 *Federal Register* (FR) 28545 (May 26, 1999), and the Project for which Palmetto Railways is requesting funding is substantially the same as detailed in the previous EA,<sup>2</sup> FRA is using the EA to prepare this FONSI in support of obligating funds for the INFRA grant awarded for the proposed Project. FRA has prepared this FONSI to comply with NEPA, as amended, 42 U.S.C. §§ 4321 et seq. and its implementing regulations, 40 Code of Federal Regulations (CFR Parts 1500–1508; FRA regulations implementing NEPA (23 CFR Part 771); Section 4(f) of the United States Department of Transportation Act (49 U.S.C. § 303) (Section 4(f)) and FRA implementing regulations (23 CFR Part 774); and related laws. FRA has developed this FONSI based on information included in the EA, and the FONSI incorporates the Draft and Final EAs by reference (OEA and USACE 2018, 2019).

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<sup>2</sup> For analysis in the EA, STB and the USACE (the joint lead agencies) used a mileage calculation of 28.01 miles. The 28.01 miles includes both spurs within the Camp Hall Commerce Park. Palmetto Railways' request for federal funding included 22.7 miles of mainline track, a lead track, and processing and classification yards at the Camp Hall Commerce Park adjacent to the Volvo manufacturing plant. The 28.01 miles of track in the EA accounts for the mainline track, the lead track and the processing and classification yards at the Camp Hall Commerce Park. Additionally, the location of the proposed small maintenance office facility (now referred to as the Locomotive Maintenance Facility and Office) has changed since the completion of the Final EA.

## Chapter 2

# Study Area

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The proposed Camp Hall Industrial Corridor in Berkeley County, South Carolina, involves the construction of an industrial freight rail line connecting the Camp Hall Commerce Park to an existing CSXT rail infrastructure railroad right-of-way, near the Santee Cooper Cross Generating Station in Berkeley County, South Carolina.

The proposed Project is located in the Middle Atlantic Coastal Plain region of South Carolina, which is generally a flat region underlain by unconsolidated sedimentary deposits. Rivers meander through broad floodplains characterized by cut-off lakes and swamp vegetation. Elevation differences in the Middle Atlantic Coastal Plain range from 300 feet at the border of the Sandhills to sea level at the border of the coast. Additionally, as shown in Figure 2-1<sup>3</sup> the proposed Project area is located at the convergence of two distinct river basins: (1) the Project area is located predominantly in the upper reaches of the Cypress Swamp Watershed of the Cooper River Basin and (2) a small portion of the Project is on the lower boundary of the Lower Four Hole Swamp Watershed of the Edisto River Basin.

Land use within the Project corridor is a mix of residential, commercial, silvicultural, and wetlands. The Project corridor originates on Santee Cooper property adjacent to its Cross Generating Station and crosses the Diversion Canal between Lake Marion and Lake Moultrie South of the Diversion Canal. The Project corridor includes the unincorporated rural community of Cross. Outside of the Cross community, the corridor runs south through intensively managed pine plantation in short pulp rotations, and then into the Camp Hall Commerce Park.

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<sup>3</sup> Figure 2-1 in this FONSI is included in the Draft EA as the Water Resources Study Area. This figure is used in the FONSI as it shows the largest extent of the study areas used for analysis in the EA.

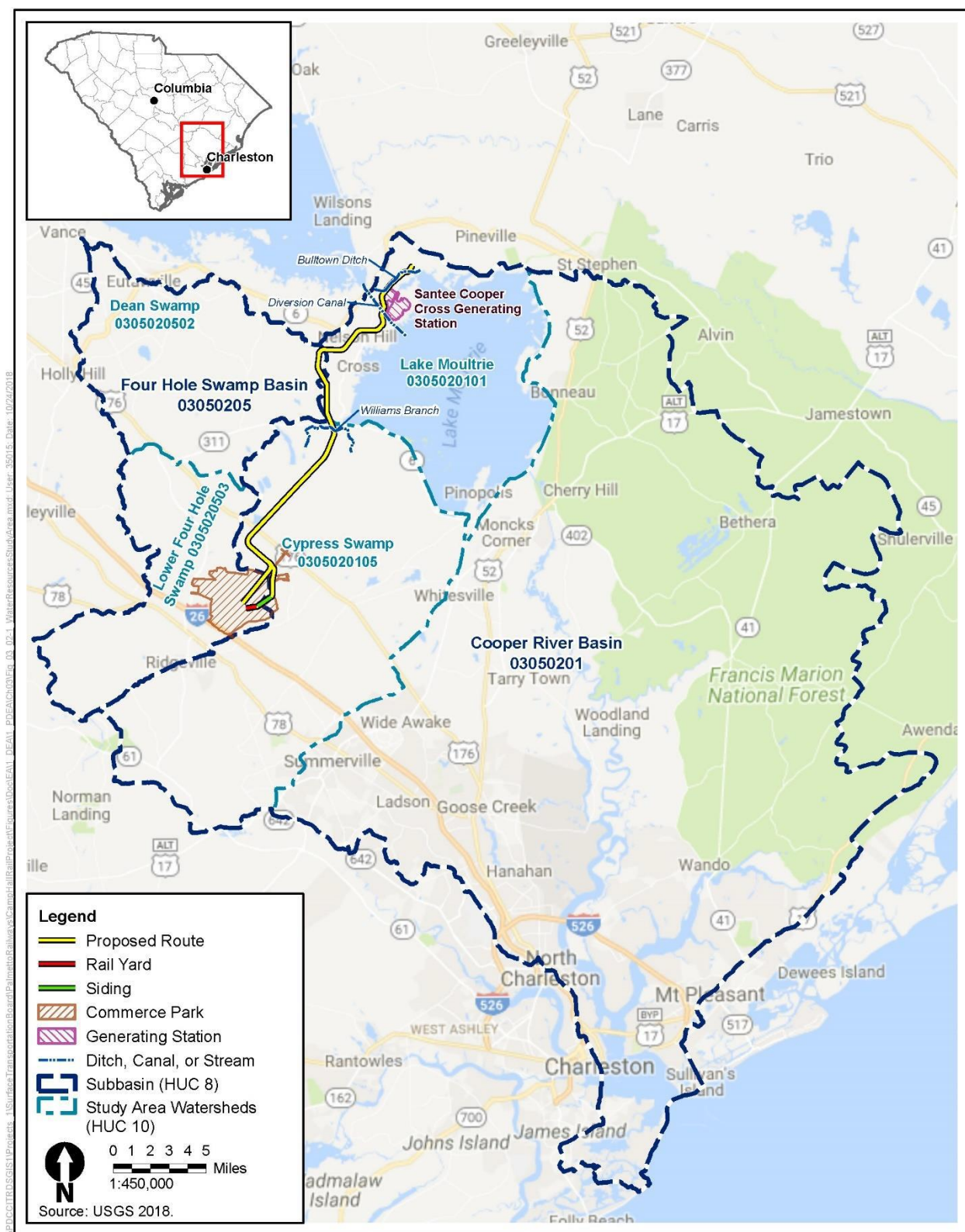


Figure 2-1. Study Area



## Chapter 3

# Purpose and Need

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The purpose of the Project is to construct and operate an industrial rail line that will connect an existing Class I rail line with the Camp Hall Commerce Park. The need for the rail line derives from development in the Camp Hall Commerce Park increasing the demand for rail service connecting the park with an existing Class I rail network, in a manner that is logistically feasible. The rail line will better serve the needs of future park tenants and industry for transportation, distribution, and logistics. In addition, the rail line will support infrastructure needs in South Carolina and Berkeley County and will help alleviate highway congestion involving large commercial trucks.

This chapter describes the alternatives analyzed in the EA including the alternatives screening process, the No Action Alternative, Action Alternative, and Selected Alternative.

### 4.1 Alternatives Screening

Palmetto Railways evaluated alternatives to select a preferred alternative for analysis. The joint lead agencies independently reviewed Palmetto Railways' information, developed and applied independent screening criteria to each of the Palmetto Railways' alternatives, and carried the Palmetto Railways' Preferred Alternative forward for analysis, in addition to its analysis of the No-Action alternative.

The process used to develop and evaluate alternatives is described in the Draft EA, Appendix B, *Environmental Report*. Palmetto Railways developed six alternatives<sup>4</sup> for meeting the purpose and need for the proposed rail line, in addition to a No Action Alternative. These alternatives were subject to screening criteria, revised, and re-evaluated according to refined criteria. As part of this process, Palmetto Railways analyzed alternatives at three stages, and eliminated all initial alternatives except for the Cross route which it expanded into four options.<sup>56</sup> Palmetto Railways' screening process evaluated whether alternatives were reasonable and practicable, and considered environmental, economic, technological, and safety concerns. Palmetto Railways then finally identified and refined a Preferred Alternative (Cross Option 3).<sup>7</sup> Palmetto Railways' Preferred Alternative is shown on Figure 4-1, which is identical to Figure 2-5 in the Draft EA.

The joint lead agencies implemented a two-phase screening process to evaluate the alternatives proposed and considered by Palmetto Railways. This process incorporated information from the Draft EA Appendix B, *Environmental Report*, additional information provided by Palmetto Railways, and input from agencies and the public. In the first phase, the joint lead agencies determined that the initial six alternatives represented a reasonable range of alternatives that could meet the stated purpose and need, then suggested modifications to two of these alternatives to ensure a robust exploration of alternatives.<sup>8</sup> In the second phase, the joint lead agencies screened the initial six

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<sup>4</sup> The initial six alternatives were the Soter South Route, Soter North Route, Moncks Corner Route, Cross Route, Eutawville/Holly Hill Route, and Ridgeville Route.

<sup>5</sup> Palmetto Railways developed six alternatives that could potentially meet the purpose and need for the proposed rail line. These alternatives were subjected to screening criteria, revised, and re-evaluated according to refined criteria. As part of this process, Palmetto Railways analyzed alternatives at Level 1, Level 2, and Level 3 stages, ultimately identifying and refining a preferred alternative. A full description of Palmetto Railways screening process can be found in the Draft EA.

<sup>6</sup> The Eutawville/Holly Hill Route and Ridgeville Route were eliminated at the first screening level. The Moncks Corner Route, Soter North Route, and Soter South Route were eliminated at the second screening level. The remaining Cross Route was expanded into four routes: Cross Option 1 through Cross Option 4.

<sup>7</sup> After Palmetto Railways identified the Cross Option 3 alignment as its Preferred Alternative, it further refined the route to reduce impacts on cultural resources, specifically on the Bulltown Ditch and the Garrett Cemetery.

<sup>8</sup> Palmetto Railways subsequently modified the Moncks Corner Route and Soter South Route.

alternatives (including the modified routes) and the four refinements of the Cross Route using criteria that focused on the following key impact issues: wetlands; potential relocations of residences, commercial buildings, churches, and other institutional structures; land parcels affected; and known archaeological sites.

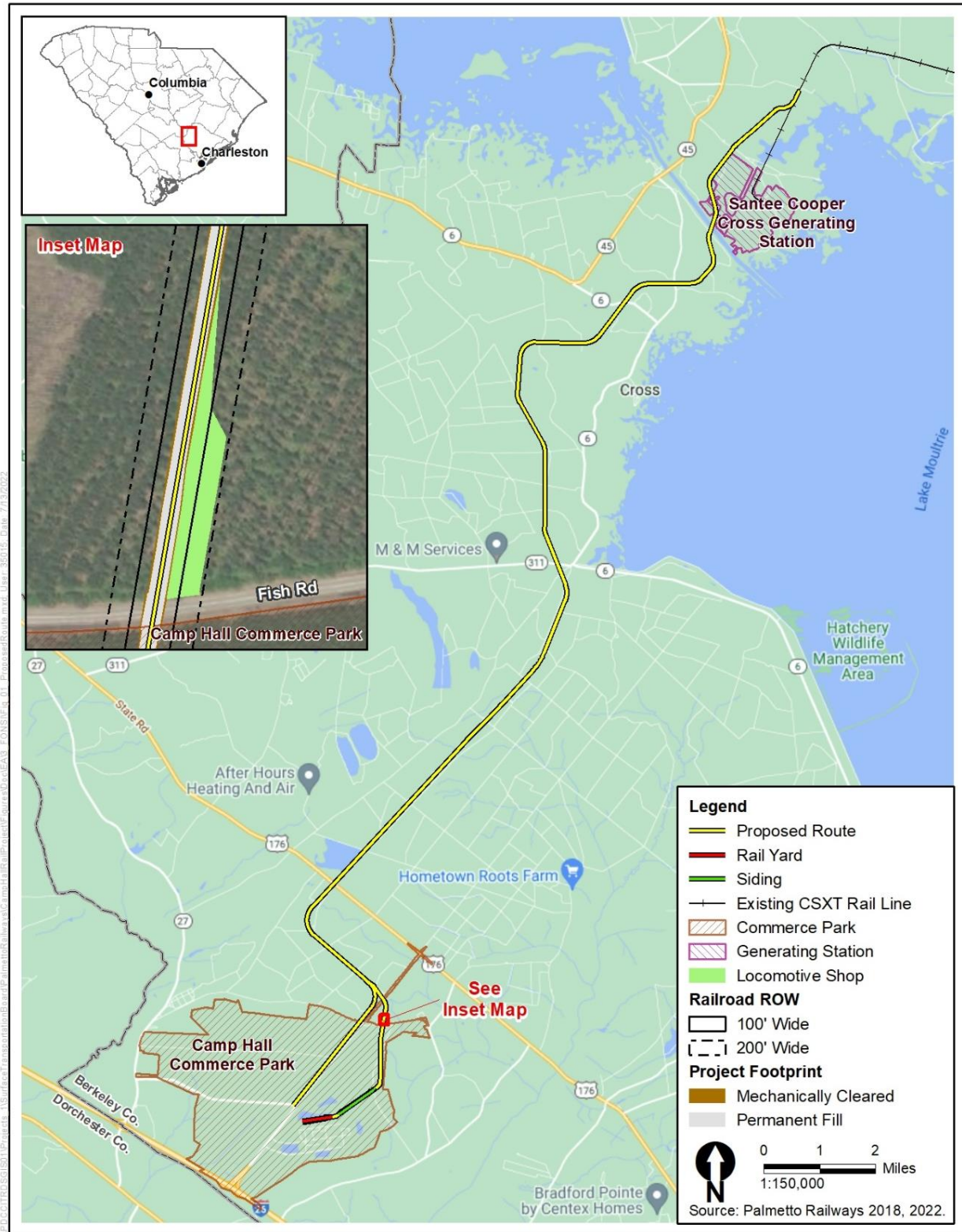


Figure 4-1. Preferred Alternative

Table 4-1, as included in the Draft EA and updated with revisions noted in the Final EA, summarizes information from the joint lead agencies' alternatives screening process. The joint lead agencies found that the original Cross Route would have fewer overall environmental impacts compared to the other routes. The joint lead agencies further verified that Cross Option 3 would reduce the potential impacts associated with the Cross Route and would have the fewest overall impacts of the four Cross Options. Ultimately, the joint lead agencies carried forward the refined Cross Option 3, Palmetto Railways' Preferred Alternative, for analysis in the EA.

## 4.2 No-Action Alternative

The No-Action Alternative was considered in the EA and analyzes what would happen if there are no Project improvements in comparison to the Action Alternative. The No Action Alternative was not selected because it would not meet the purpose and need of the Project. With the No-Action Alternative, Palmetto Railways would not construct and operate the rail line as proposed. Instead, automobiles produced by Volvo Cars at Camp Hall Commerce Park and destined for the North American market would be shipped by truck approximately 80 miles, primarily on Interstate (I-)26, to CSXT's Dixiana auto distribution facility near Columbia, South Carolina (Draft EA Appendix A, *Applicant Correspondence with Agencies, Information Request #3*). Other goods produced by future tenants in Camp Hall Commerce Park would also be shipped by truck, resulting in additional truck traffic. The exact routes that would be affected would likely include I-26.

## 4.3 Action Alternative

The Action Alternative is Palmetto Railways' Preferred Alternative for the proposed rail line, Cross Option 3. All other alternatives, with the exception of the No-Action Alternative, were eliminated from further consideration as explained in Section 4.1, Alternatives Screening.

With the Action Alternative the rail line will extend 28.01<sup>9</sup> miles to connect the CSXT Cross Subdivision to Camp Hall Commerce Park; running south–southwest from the Cross Generating Station, crossing the Diversion Canal between Lake Marion and Lake Moultrie (over a proposed bridge), traversing the unincorporated community of Cross, and extending south through pine plantations into Camp Hall Commerce Park. One terminus will be in the Volvo Cars facility and adjacent to Volvo Car Drive, and the other terminus will be approximately 10,000 feet south of the crossing of Fish Road.

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<sup>9</sup> Palmetto Railways' INFRA Grant Application uses 22.7 miles as the length of the rail line. For analysis in the EA, STB and USACE (the joint lead agencies) used a mileage calculation of 28.01 miles. The 28.01 miles includes both spurs within the Camp Hall Commerce Park.

**Table 4-1. Joint-Lead Agencies Alternatives Screening Summary**

Criteria <sup>1</sup>	Metrics <sup>2</sup>	Alternatives <sup>3</sup>						
		Original Cross	Cross 1	Cross 2	Palmetto Railways' Preferred (refinement of Cross 3)	Cross 4	Moncks Corner	Soter North
<b>Right-of-Way</b>	Length (miles)	21.8	23.9	24.6	26.1	25.5	23.3	18.2
	Acres of 100-foot right-of-way	270.4	294.9	304.6	322.6	313.6	282.1	220.8
	Acres of 200-foot right-of-way	528.9	579.4	594.4	630.0	616.3	563.9	441.4
<b>Grade Crossings</b>	Number of at-grade crossings of public roads	14	12	10	10	12	11	11
	Number of at-grade crossings of private roads	39	42	44	55	52	30	42
<b>Vehicle Traffic at Grade Crossings</b>	Sum of AADT vehicles for at-grade crossings of highways, arterial and collector roads	12,100	12,100	12,100	12,100	12,100	18,700	48,350
<b>Wetlands</b>	Acres total wetlands within right-of-way (based on NWI and hydric soils data)	291.8	281.7	304.1	336.5	316.1	345.9	226.0
<b>Floodplains</b>	Acres total FEMA-regulated 100-year floodplains within right-of-way	23.1	16.8	17.1	4.2	3.9	57.7	32.4
<b>Floodways</b>	Acres total FEMA-regulated floodways within right-of-way	--	--	--	--	--	6.4	13.2
<b>Streams</b>								
Navigable waterways	Number of crossings of navigable waterways	1	1	1	1	1	0	0
USGS named streams	Number of crossings of USGS named streams	9	7	7	4	4	2	6
<b>Farmland</b>								
Prime Farmland	Acres within right-of-way	142.7	136.2	143.5	143.4	139.6	94.2	133.8
Farmland of Statewide Importance	Acres within right-of-way	276.9	270.4	285.3	337.0	323.4	306.3	208.4

Criteria <sup>1</sup>	Metrics <sup>2</sup>	Alternatives <sup>3</sup>						
		Original Cross	Cross 1	Cross 2	Palmetto Railways' Preferred (refinement of Cross 3)	Cross 4	Moncks Corner	Soter North
Cultural and Historic Resources								
National Register Properties <sup>4</sup>	Number affected within right-of-way	2	2	2	2	2	1	0
Historic Buildings	Number affected within right-of-way	0	0	0	0	0	0	2
Historical Areas <sup>5</sup>	Number affected within right-of-way	0	0	0	0	0	2	0
Known Archeological Sites	Number affected within right-of-way	4	1	1	0	0	1	8
Noise	Number of sensitive receptors outside of 100 foot- right-of-way and within the 65 LDN noise contour	9	5	1	1	5	4	15
Potential Relocations	Number of residences, commercial buildings, churches, and other institutional structures (e.g., schools and government buildings) within 100-foot right-of-way	5	2	2	0	1	0	27
Planned Development	Number of recent/future developments	0	0	0	0	0	0	2
Low Income and Minority Communities								
Low Income Communities	Number of selected census blocks <sup>6</sup> intersected by right-of-way	0	0	0	0	0	0	0
Minority Communities	Number of selected census blocks <sup>7</sup> intersected by right-of-way	4	4	4	4	4	4	1
Stewardship and Protected Area Resources <sup>8</sup>	Impact type <sup>9</sup>	Direct	Direct	Direct	Direct	Direct	Unaffected	Unaffected

Source: OEA and USACE 2018, 2019

- <sup>1</sup> Criteria included in Palmetto Railways' Level 2 Analysis and omitted from this table: design criteria, transmission line crossings, water quality, habitat, hazardous waste sites, estimated parcels, and boundaries.
- <sup>2</sup> Right-of-way width of 200 feet, unless otherwise indicated, or required for crossing Diversion Canal connecting Lake Marion and Lake Moultrie.
- <sup>3</sup> Palmetto Railways deemed the initial Cross Route to have the least environmental impacts in its *Environmental Report* (Palmetto Railways 2017a) and subsequently developed additional alignment options within the Cross corridor. Those cross options met all criteria related to purpose and need, and thus are included as alternatives (Cross Options 1, 2, 3, and 4) for screening.
- <sup>4</sup> For all of the cross options, the properties counted are the Bulltown Ditch and the Lakes Marion and Moultrie Diversion Canal, consistent with a letter dated August 28, 2017, from the South Carolina Department of Archives & History. For the Moncks Corner Route, the Old Santee Canal is counted three times—as a national register property, historical area, and archeological site—because it appears in three data sets in separate locations within a 200-foot right-of-way; no overlap with the 100-foot right-of-way.
- <sup>5</sup> Includes the Old Santee Canal and the David Hare House. There is a slight overlap of the polygons with the 200-foot right-of-way; no overlap with the 100-foot right-of-way.
- <sup>6</sup> Low-income: census block groups in which the average household incomes are below \$15,000 per American Community Surveys for 2011–2015.
- <sup>7</sup> Minority: census block groups in which the minority population either exceeds 50% or is 1.2 times the state average.
- <sup>8</sup> Wildlife Management Units, Conservation Easements, and Mitigation Banks.
- <sup>9</sup> Direct Impact, Indirect Impact, or Unaffected.



## Chapter 5

# Selected Alternative

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The Selected Alternative is the Preferred Alternative and is described in Chapter 4 above and more fully in Chapter 1 of the Final EA. The Selected Alternative includes the following:

- 22.7 miles of mainline track from the Camp Hall Commerce Park to CSXT's Cross Subdivision north of the Santee Cooper Cross Generating Station. Palmetto Railways' request for federal funding includes a request for a lead track and processing and classification yards at the Camp Hall Commerce Park adjacent to the Volvo manufacturing plant. The total 28.01 miles of track in the EA accounts for the mainline track, the lead track, and the processing and classification yards at the Camp Hall Commerce Park.
- One bridge crossing over the Diversion Canal approximately 845 feet long (520 feet over water), which would provide a 100-foot-wide navigation channel and a 50-foot vertical clearance.
- At-grade rail crossings for 10 public roads and 55 private roads.
- Relocation of seven private roads to avoid rail crossings of those roads.
- The Locomotive Maintenance Facility and Office (referred to as small maintenance and office facility in the EA).<sup>10</sup> The building will be a one-story pre-engineered metal building with overall dimensions of approximately 160 feet by 60 feet. The building will consist of office, storage, a break room, toilets, a crew area, and a shop area for performing light locomotive maintenance duties, and necessary administrative functions for the train crews and mechanics. The shop area of the building will have track over an observation pit to perform the FRA-mandated 92-day inspections.

Palmetto Railways anticipates transporting approximately 50,000 automobiles per year on five round trips (10 transits or passbys) on the proposed rail line per week, for an average of 1.4 train passbys per day. In response to comments on the Draft EA and additional information obtained since the issuance of the Draft EA, the joint lead agencies considered additional rail traffic that could result from additional tenants at Camp Hall Commerce Park. Should this potential traffic materialize, the Final EA concluded and documented that slightly longer trains (increasing from 3,000 to 4,100 feet) could be used without increasing daily passbys.

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<sup>10</sup> When the Draft EA was prepared, Palmetto Railways anticipated the location to be approximately 3,000 feet west of Volvo Car Drive outside of the Commerce Park but within the right-of-way of the preferred alternative. The joint lead agencies updated this location from the Draft EA, and in the Final EA stated that the facility would be in Camp Hall Commerce Park. As contemplated in the Draft EA, property acquisition negotiations have led to the proposed location of the Locomotive Maintenance Facility and Office changing after the Final EA was completed. The new location is shown on Figure 4-1.

## Chapter 6

# Affected Environment and Environmental Consequences

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Chapter 3 of the Draft EA (as modified by the Final EA) described the affected environment, defined the Study Area, and explained the analysis methodology for each resource. Based upon the EA (which, along with associated appendices are incorporated by reference in this FONSI), FRA concludes the Selected Alternative will have no foreseeable significant impact on the quality of the natural and human environment. FRA finds the Selected Alternative is best able to achieve the Camp Hall Industrial Corridor Project Purpose and Need without significant environmental impacts. Table 6-1 on the following pages, was included in the Draft EA as Table S-1 and has been updated here to reflect minor modifications from Chapter 4 of the Final EA which summarizes the potential impacts of the proposed rail line.

FRA considered whether changes to the Selected Alternative since the Final EA was issued (April 2019) would alter the impacts identified in the Final EA. The only change is the location of the Locomotive Maintenance Facility and Office.<sup>11</sup> While the location changed, the Locomotive Maintenance Facility and Office are within the Study Areas assessed in the EA (refer to Figure 4-1) and would not result in additional impacts because the revised location is of the same land use and wetland type (wetland plantation pine) and is anticipated to be of the same general size and design. The new location for the Locomotive Maintenance Facility and Office is also within the area that Palmetto Railways evaluated in their initial screening effort; the resources within that area are captured the screening table shown in Section 4.1, Table 4-1, Joint Lead Agencies Alternative Screening Summary.

FRA also reviewed the analysis in the EA to determine if there were any changes in applicable laws, regulations, and resource conditions that would potentially affect the analysis. Based on this review, FRA determined that there were no changes in laws, regulations, and resource conditions that substantively affect the analysis or conclusions presented in the EA. As part of this review, FRA conducted a records search to determine if there were any newly identified historic properties that could be affected by the Project, pursuant to Section 106 of the National Historic Preservation Act (NHPA). FRA also assessed whether there were any new species listed under the Endangered Species Act (ESA) or state-listed species that could occur in the Project area. FRA did not identify any new historic properties or new ESA-listed species. The findings of that review are described further in Sections 7.1, and 7.3 of the EA.

Palmetto Railways is coordinating with Santee Cooper, as the Federal Energy Regulatory Commission designee and responsible entity for approval of changes to hydrology within the

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<sup>11</sup> The location noted in the Final EA was approximately 3,000 feet west of Volvo Car Drive. The location noted in this FONSI is immediately adjacent to the rail line and extends north from Fish Road in a location east from the location noted in the Final EA. The new location is approximately 1 mile southeast of the prior location.

diversion canal. Changes to hydrology could result from the new rail bridge piers, but will not be significant with the mitigation measures noted in Chapter 8.

As noted in Chapter 8, *Commitments and Mitigation Measures*, the Board and USACE included conditions in their respective approvals. The Board provided its approval subject to the mitigation measures included in the Final EA. USACE included general permit conditions and special conditions as part of the Department of the Army (DA) permit.

**Table 6-1. Impact Summary**

<b>Resource</b>	<b>Impacts of Selected Alternative</b>	<b>Level of Impact</b>	<b>Mitigation</b>
Transportation	Rail safety: No construction impacts. Operations could result in an accident risk rate of 0.17 per year, or one per every 6 years.	Minimal	VMs will address rail safety issues through implementation of Operation Lifesaver, safety training and contact for emergency response personnel, active and early warning systems, community workshops, coordination with emergency services, and compliance with regulations governing the transport of hazardous materials.
	Vehicle safety: Construction would increase vehicle traffic, which will be distributed over many roads. Operations-related accidents would be based on traffic levels and train speeds. At the busiest intersection, a predicted accident interval would be one vehicle/rail incident every 33 years. This compares with an estimated 0.1% increase in daily truck traffic on Interstate 26.	Minimal	VMs will provide passive and active warning systems; community workshops; emergency coordination; hazardous materials regulatory compliance.
	Vehicle delay: Construction could cause temporary vehicle delay for diversions. Operations-related delay could affect from 1 to 10 vehicles at proposed new grade crossings (0.2% of vehicles), with total delay ranging from 1.5 to 12 minutes. This compares with an increase in truck traffic under the no-action alternative.	Minimal	VMs will present community workshops about the safety program.
	Navigation: Construction impacts of the proposed bridge spanning the Navigation Canal could temporarily affect boaters. The bridge would provide sufficient clearance (50 vertical feet) for continued navigation of the canal.	Minimal	NA
Water Resources	Surface waters: Construction may alter surface water flow and quality, including one 303(d) impaired water body, but impacts will be local and addressed with voluntary mitigation. Culverts required for operation could alter channel hydraulics, but this would be addressed by voluntary mitigation. Potential water quality impacts from fugitive dust and maintenance chemicals will be addressed by voluntary measures.	Minimal	VMs will implement appropriate BMPs for stormwater, erosion control, runoff, and sediment control consistent with SDHEC handbook; implement a SWPPP; comply with NPDES conditions; use appropriate design measures, adhere to county stormwater regulations, and obtain a permit to discharge fill.

Resource	Impacts of Selected Alternative	Level of Impact	Mitigation
	Wetlands: During construction, wetlands will be filled and permanently cleared of vegetation. This could fragment habitat, alter hydrology, and change vegetation through deposition of fugitive dust. Fill will cause loss of habitat function and railbeds could fragment flow, affecting water quality. Placement of materials temporarily and permanently could limit stormwater and floodwater retention. Operations maintenance could result in incidental emissions affecting water quality.	No Significant Impact with mitigation- 103 acres permanently filled; 17 acres permanently cleared of vegetation	Compensated by Palmetto Railways' mitigation plan that includes mitigation in the Francis Marion National Forest and purchase of mitigation credits.
	Floodplains: The proposed rail line will cross two 100-year floodplains. Bridge bents will be installed in the canal, potentially constricting flows. A small area will be cleared. Area of impact would be 0.005% of all 100-year floodplains mapped in the watershed.	Minimal	VMs: See surface waters
	Groundwater: Potential spills during construction or operations could infiltrate and contaminate groundwater but this will be limited to the alignment footprint.	Minimal	VMs: See surface waters
Vegetation	During construction, clearing and fill placement could disturb or displace vegetation; heavy equipment could compact soil and impede germination and growth; noxious weeds could be introduced or spread on heavy equipment or in fill; dust deposition could affect plant growth; and accidental spills could damage vegetation. Operations impacts could include vegetation trimming or clearing and potential leaks or spills.	Minimal	VM will implement an SPCC plan to minimize potential spill impacts. MM will require preparation of a plan to control the spread of noxious weeds.
Wildlife	Construction could remove or alter habitat, causing wildlife displacement; cause direct injury or mortality; or result in contact with contaminants. Operations could result in wildlife injury or mortality; cause habitat fragmentation and create a barrier to movement; and cause habitat degradation and wildlife displacement.	Minimal	VM will implement an SPCC plan to minimize potential spill impacts.
Fish and Other Aquatic Species	Construction and culvert placement could cause sedimentation and turbidity, affecting juvenile fish and altering diet and behavioral responses; impede fish movements and harm fish; result in spills affecting water quality and fish habitat; result in removal or alteration of instream and riparian habitats. During operations, culverts could impede fish movement.	Minimal	VMs: See surface waters and vegetation. MMs: See wetlands; additional MM will ensure appropriate culvert sizing and placement.

Resource	Impacts of Selected Alternative	Level of Impact	Mitigation
Special-Status Species	A small area of red-cockaded woodpecker foraging habitat is within 140 feet of the right-of-way and may be affected by construction and operations. Atlantic sturgeon and shortnose sturgeon have been documented in or near the Diversion Canal and may be affected by construction and operations.	Not likely to adversely affect	VMs will minimize over-water footprint, comply with the Migratory Bird Treaty Act and Endangered Species Act, implement a construction plan incorporating wildlife measures and staff training; and implement vessel operation BMPs. Through Endangered Species Act consultation, protective measures were identified that will minimize impacts on federally listed species.
Noise and Vibration	Noise: Construction noise will exceed the FTA threshold at one sensitive receptor (91 dBA; threshold is 90 dBA). The same receptor could be affected by horn noise during operations.	One sensitive receptor within the 65 DNL noise curve	VMs will mitigate operational noise impacts on the single residence within the 65 DNL noise curve through use of noise-dampening rail materials and support of community-initiated establishment of Quiet Zones.
	Vibration: Construction vibration levels will be below the FTA fragile building damage threshold of 0.20 inch per second. Operations vibration levels would not affect receptors within the noise contour for FTA's infrequent event criterion.	Minimal	NA
Cultural and Historical Resources	Archaeological resources: None in the study area	NA	MM will require a stop work order and further coordination should artifacts or remains be discovered during construction.
	Historical resources: Diversion Canal's association with the Santee Cooper Hydroelectric Project and its eligibility for listing would not be affected. Bulltown Ditch's association with the Santee Canal and its significance would be maintained through engineering measures to protect the canal's structural integrity. Neither resource will be affected by operations. Garrett Cemetery's setting could be affected by construction and operation but construction will not affect grave markers. Tribal consultation as noted in the Draft EA (which included the FOE) did not result in any objections to the project. One tribe,	No adverse effect	VM will maintain a 50-foot buffer around Garrett Cemetery.

Resource	Impacts of Selected Alternative	Level of Impact	Mitigation
	the Muscogee (Creek) Nation, submitted a letter on the Draft EA stating that they had no comments.		
Land Resources	Land use, utilities, and recreation: construction could temporarily disrupt access o facilities; the small number of passbys will not affect ongoing use of resources.	Minimal	NA
	Section 6(f) and Section 4(f): Lake Moultrie Passage route will change during construction. Diversion Canal and Bulltown Ditch would not be affected. Operations will change the setting of Garrett Cemetery. No Section 6(f) resources.	No adverse effect	VM will maintain a 50-foot buffer around Garrett Cemetery. MM will maintain access to Lake Moultrie Passage trail during construction.
Visual Resources and Aesthetics	Visual character and quality: Both construction and operations impacts will be consistent with timber and maintenance activities. Views will be limited in most locations except for a few residences closer to the alignment.	Minimal	NA
	Light and glare: No nighttime lighting; new bridge surface will not create a new source of glare but could reduce glare from the water.	Minimal	NA
Hazardous Waste Sites	The Cross Generating Station located in the study area will not affect construction or operation of the proposed rail line. Operations of the rail line could cause the release of hazardous substances, but best management practices and regulatory compliance will minimize impacts.	Minimal	Best management practices and regulatory compliance will minimize any potential impacts.
Air Quality and Climate Change	Proposed rail line will be constructed in an attainment area and emissions would not cause the area to exceed NAAQS. Operations will result in lower GHG emissions than the no-action alternative.	Minimal and beneficial	VMs will implement construction BMPs, a dust mitigation program, require proper equipment maintenance, ensure compliance with state regulations, and require operation of equipment in compliance with permits.
Energy	Construction will require minimal and temporary consumption of fuel. Operations would consume about 78,000 gallons of fuel annually, or less than 1% of distillate fuel consumption for the state. This will be less than the 203,718 gallons of fuel consumed under the no-action alternative.	Minimal and beneficial	NA

Resource	Impacts of Selected Alternative	Level of Impact	Mitigation
Geology and Soils	Construction could affect soils, causing small, local, and temporary increases in erosion and sedimentation. New impervious surfaces could increase runoff.	Minimal	VM will implement soil stabilization and revegetation measures.
Socioeconomics	Construction will require acquisition of land, most zoned for agricultural use. Landowners will be compensated. Construction will provide temporary employment benefits; operations will improve capacity at Camp Hall Commerce Park. Operations will not affect community cohesion.	Minimal and beneficial	VMs will develop a public, agency, and stakeholder coordination plan; find financial assistance for a broadband infrastructure; and provide financial assistance for improvements to community facilities.
Environmental Justice	The Project will not meet the criteria for a high and adverse environmental justice impact despite all census tracts composed of low-income populations and one comprised of 67% minorities. The Selected Alternative will not result in significant or high and adverse environmental effects and therefore, there will be no disproportionately high and adverse impacts on minority or low-income populations.	No disproportionately high and adverse impacts	NA

Source: OEA and USACE 2018, 2019

VM = voluntary mitigation measure; BMP = best management practice; SDHEC = South Carolina Department of Health and Environmental Control; SWPPP = stormwater pollution prevention plan; NPDES = National Pollutant Discharge Elimination System; SPCC = spill prevention, control, and countermeasure plan; MM = preliminary recommended mitigation measure; FTA = Federal Transit Administration; dBA = A-weighted decibel; DNL = day-night sound level; NAAQS = National Ambient Air Quality Standards; GHG = greenhouse gas

The complete list of mitigation measures is contained in Chapter 8, *Commitments and Mitigation Measures*, of this FONSI.



## Chapter 7

# Determinations and Findings Regarding Other Laws

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### 7.1 Section 106 of the National Historic Preservation Act of 1966

In 2018, ICF, as the Board and USACE's independent third-party contractor, prepared an NHPA Section 106 Finding of Effect on behalf of USACE and the Board. In the report, USACE concluded that the Project would have no adverse effects on historic properties. The South Carolina State Historic Preservation Officer (SHPO) agreed with USACE's finding of no adverse effects on historic properties.

In 2022, ICF, as FRA's independent third-party contractor, completed a supplemental records search and literature review as part of preparing this FONSI to ensure the 2018 finding of no adverse effect on historic properties remained valid (Appendix A, *Supplemental Section 106 Compliance Camp Hall Rail, Berkeley County, South Carolina*). The supplemental records search in the Area of Potential Effects (APE) was conducted to determine if any additional historic properties were listed or were eligible for listing in the National Register of Historic Places (NRHP) since 2017 and if any properties in the APE had reached the 50-year age threshold for such eligibility since 2017. ICF's analysis found no additional historic properties in the APE, confirming the Project will have no adverse effects on historic properties. FRA concludes that there is no change to the APE and no additional historical properties identified within the APE; therefore, there are no adverse effects on Section 106 historic properties, and the prior conclusions remain unchanged.

### 7.2 Section 4(f) of the U.S. Department of Transportation Act of 1966

Pursuant to the requirements of Section 4(f), the EA included a Draft Section 4(f) Evaluation (Draft EA Appendix H, *Section 4(f) and 6(f) Evaluations*). The EA identified three recreation resources within the vicinity of the proposed rail line that may be subject to Section 4(f). The EA also identified three historic properties eligible for protection under Section 4(f).

The three recreation sites identified included the Palmetto Trail, Lake Moultrie Passage; Moultrie Hunt Unit Wildlife Management Areas (WMAs); and the diversion canal that connects Lake Marion on the west and Lake Moultrie on the east (Diversion Canal).

The FRA determined that the Lake Moultrie Passage is a significant recreational trail that qualifies as a Section 4(f) property. However, FRA also determined that the portion of the trail that the proposed rail line will cross at Viper Road is not a Section 4(f) resource.

Initially, FRA's determined that the Moultrie Hunt Unit WMAs are not significant for the purposes of public recreation, waterfowl, or wildlife refuge, and do not qualify as Section 4(f) properties. In

addition, the proposed rail line will be located near to but will not cross the WMAs, which FRA determined were not significant for the purposes of public recreation or waterfowl or wildlife refuge, and they do not qualify as Section 4(f) properties (See Appendix H of the Draft EA).

The primary purpose of the Diversion Canal is Santee Cooper's generation of hydroelectric power. Although recreational use of the Diversion Canal occurs, FRA's preliminary determination was that such use is incidental and secondary to the primary purpose of the canal and thus FRA did not consider the canal significant for the purpose of public recreation. Therefore, the Diversion Canal is not protected under Section 4(f).

The three historic properties identified as eligible for protection under Section 4(f) included the Diversion Canal, Bulltown Ditch, and Garrett Cemetery. For all three properties, the SHPO concurred with USACE's finding of no adverse effects on historic properties. Pursuant to 23 CFR § 774.3, an analysis of feasible and prudent avoidance alternatives will be required if the proposed rail line results in a greater than *de minimis* impact on a Section 4(f) property. Based on the SHPO's concurrence, FRA has notified the SHPO that it intends to make a determination that the proposed rail line will result in a *de minimis* use of all three historic properties (Draft EA Appendix C, *Interagency and Tribal Correspondence*, Email from J. Winkle to Keely Lewis dated August 27, 2018, in). Thus, an analysis of feasible and prudent avoidance alternatives for the three historic properties is not required.

The EA addressed measures to minimize harm and are included as mitigation in this FONSI. Chapter 8, *Commitments and Mitigation*, of this FONSI contains general measures that will minimize harm to all potentially affected properties as a result of noise or visual intrusion are provided in. Specific measures for the noted Section 4(f) properties include the following:

- Access to the Lake Moultrie Passage shall be maintained at all times during construction of the proposed rail line and signs shall be posted directing trail users along the detour route at Viper Road.
- During construction, the Palmetto Railways shall employ stabilization measures and best management practices designed to avoid affecting the structural integrity of the Diversion Canal, Bulltown Ditch.
- Palmetto Railways shall design culverts to maintain existing surface water drainage patterns and not cause or exacerbate flooding.
- Palmetto Railways shall maintain at least a 50-foot buffer between the right-of-way for the proposed rail line and the Garrett Cemetery.

## 7.3 Section 7 of the Endangered Species Act of 1973

During preparation of the EA, the joint lead agencies consulted with the U.S. Fish and Wildlife Service (USFWS) and National Marine Fisheries Service (NMFS) to determine the potential presence of federally listed and state-listed threatened and endangered species and their habitats in the Project area. Consultation with USFWS determined that the proposed rail line *may affect* the red-

cockaded woodpecker in a small, isolated area of foraging habitat near the right-of-way. However, as explained in the EA, any potential construction and operation impacts on red-cockaded woodpecker would be insignificant and discountable and, therefore, are *not likely to adversely affect* the red-cockaded woodpecker. USFWS concurred with this determination and stated that the requirements of ESA Section 7 have been fulfilled and no further consultation on federally listed species is necessary (Draft EA Appendix C, *Interagency and Tribal Correspondence*).

Based on consultation with NMFS, the joint lead agencies determined that the proposed rail line *may affect* the Atlantic sturgeon and shortnose sturgeon during construction of the proposed rail bridge across the Diversion Canal. However, as explained in the EA, it is likely that any potential impact on the species would be insignificant and discountable because the presence of the species at the bridge crossing would be rare, construction would be temporary, and several mitigation measures will be implemented to minimize impacts on the species. Therefore, the proposed rail line is *not likely to adversely affect* the Atlantic sturgeon or shortnose sturgeon. NMFS concurred with this determination and stated that the joint lead agencies' ESA Section 7 responsibilities have been concluded for species under their purview (Draft EA Appendix C, *Interagency and Tribal Correspondence*, letter of concurrence dated October 4, 2018).

In March 2022, FRA reviewed the current list of federally listed threatened and endangered species that occur or potentially occur in the Project area and determined that no new species were listed or new critical habitat designated since OEA issued the Final EA (USFWS 2022; NMFS 2022).

In the March 2022 review, three new state-listed endangered and threatened species were added to the list for Berkeley County, including the endangered Florida manatee and wood stork, and the threatened southern hog-nosed snake. The South Carolina endangered species statute (50 South Carolina Code of Laws §§ 15–30) does not require a consultation process like Section 7 of the ESA. However, the statute makes it unlawful for Palmetto Railways to take, possess, transport, import, export, process, sell, offer for sale, ship, or received for shipment these species without a permit. Permits are issued only for research and educational purposes. Under South Carolina law, take is defined as to harass, hunt, capture, or kill or attempt to harass, hunt, capture, or kill wildlife. The Florida manatee and wood stork are federally listed species that were previously dismissed from consideration in the Final EA because there is no habitat in the Project area. The U.S. Geological Survey (USGS) Gap Analysis Project predicted suitable habitat modeling identified potentially suitable habitat for the southern hog-nosed snake in the Project area. Construction will likely affect this habitat. While the South Carolina endangered species statute does not protect state threatened and endangered species habitat, it does prohibit the actions described above. Therefore, Palmetto Railways will need to ensure that the actions comply with the state endangered species law for the southern hog-nosed snake.

## Chapter 8

# Commitments and Mitigation Measures

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Palmetto Railways will be required to comply with all applicable federal, state, and local permitting requirements during the implementation of the Selected Alternative, which will include:

- Public Law 95-217, Clean Water Act of 1977, 33 U.S.C. § 1251-1376 (Section 401 Certification, Section 404 Permit and National Pollutant Discharge Elimination System (NPDES) permit)
- Section 106 of the National Historic Preservation Act of 1966, as amended, 16 U.S.C. § 470
- Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, 42 U.S.C. § 4601 et seq.
- Executive Order 11990, Protection of Wetlands, 42 FR 26961, May 24, 1977
- Executive Order 11988, Floodplain Management, 42 FR 26951, May 24, 1977
- Federal Power Act (FPA) of 1935 (Federal Energy Regulatory Commission license for the South Carolina Public Service Authority (SCPSA) Santee Cooper Project)
- Obstruction or Damage to Roads or Drainage, South Carolina Annotated Code Section 57-7 (Encroachment permit from the South Carolina Department of Transportation)
- South Carolina Pollution Control Act (South Carolina Annotated Code Section 48)
- South Carolina Coastal Tidelands and Wetlands Act (South Carolina Annotated Code. Section 48-39-10 et seq.)
- Berkeley County Stormwater Management Program (Ordinance No. 14-11-36)

Table 8-1 identifies the commitments and mitigation measures that have been identified to address and further reduce impacts of the Project. Additional measures may also be implemented as necessary and as identified. Palmetto Railways is responsible for ensuring all environmental commitments and mitigation measures identified in this FONSI are fully implemented.

**Table 8-1. Commitments and Mitigation Measures**

<b>ID</b>	<b>Measure</b>	<b>Resource Area Mitigated</b>
01	Prior to initiating operations, Palmetto Railways will offer instructional programs from Operation Lifesaver to the communities impacted by the new rail line. These will include in person, written, and online materials to educate communities on rail safety.*	Transportation
02	Prior to initiating operations, Palmetto Railways will offer rail safety training for all emergency response personnel in the impacted project area.*	Transportation
03	Prior to initiating operations, Palmetto Railways will provide a 24-hour emergency contact to first responders in the service area for use in the event of an emergency involving the new rail line. *	Transportation
04	Palmetto Railways will provide active warning systems with lights and gates at crossings of public roads by the new rail line. Palmetto Railways shall provide appropriate passive warnings, such as crossbucks, yield or stop signs, and pavement markings at crossings of private roads by the new rail line.*	Transportation
05	Prior to initiating operations, Palmetto Railways will provide early warning systems at Shortcut Road, Old Highway 6, and Ranger Road. This will consist of an illuminated W10-1 warning sign and railroad pavement markings to be placed approximately 700 feet from the at-grade crossing, which will be activated similar to the gates and lights in the grade crossing system.*	Transportation
06	Prior to initiating operations, Palmetto Railways will conduct community workshops within the Cross community to educate residents about rail and rail crossing safety and to answer questions about the project. *	Transportation
07	Prior to initiating operations, Palmetto Railways will coordinate with emergency services to address concerns regarding delays and to train local first responders on train operations. Palmetto Railways will partner with the Berkeley County Emergency Services Division and the Cross Rural Fire District to develop specific plans to upgrade equipment and/or facilities to improve emergency services for the Cross community.*	Transportation
08	If a shipper requests that Palmetto Railways transport hazardous materials on the new rail line, Palmetto Railways will conduct any such shipments in compliance with the requirements established by the U.S. Department of Transportation, the U.S. Department of Homeland Security, the U.S. Transportation Security Administration, the Federal Railroad Administration, and the Pipeline and Hazardous Materials Safety Administration.*	Transportation
09	To mitigate potential water quality impacts from the new rail line, Palmetto Railways will use a variety of post-construction stormwater best management practices to convey, filter, and dissipate runoff from the new rail line, which may include but will not be limited to vegetated swales, vegetated filter strips, stream bank stabilization, and channelized flow dissipation.*	Water Resources

<b>ID</b>	<b>Measure</b>	<b>Resource Area Mitigated</b>
10	Palmetto Railways will implement a stormwater pollution and prevention plan, as required by the National Pollutant Discharge Elimination System permit that includes management of sediment and erosion control.*	Water Resources, Fish and Other Aquatic Species
11	Palmetto Railways will implement erosion prevention best management practices, which may include dust control, mulching, blown straw, hydro-mulching/seeding, erosion control blankets, turf reinforcement mats, and outlet protection (i.e., riprap), temporary seeding, sediment tubes, sediment tube slope breaks (slopes greater than 50 feet in length), flexible growth medium or engineered fiber medium (i.e., Flexterra), and/or other devices as prescribed by the design engineer.*	Water Resources, Fish and Other Aquatic Species
12	Palmetto Railways will implement runoff control and conveyance best management practices that may include diversion ditches/dikes, pipe slope drains, drainage swales, and level spreader and/or other devices as prescribed by the design engineer.*	Water Resources, Fish and Other Aquatic Species
13	Palmetto Railways will implement sediment control best management practices that may include sediment basins, sediment traps, silt fences, ditch checks, stabilized construction entrances, storm drain inlet protection, and sediment tubes and/or other devices as prescribed by the design engineer.*	Water Resources, Fish and Other Aquatic Species
14	Palmetto Railways will design, implement, and maintain all construction best management practices per the guidance in the South Carolina Department of Health and Environmental Control Storm Water Management BMP Handbook (August 2005).*	Water Resources, Fish and Other Aquatic Species
15	Palmetto Railways will obtain a National Pollutant Discharge Elimination System Phase II Construction General Permit to address water quality and quantity.*	Water Resources, Fish and Other Aquatic Species
16	Palmetto Railways will implement appropriate rail design measures to ensure minimal impact to floodplains and compliance with all Federal Emergency Management Administration (FEMA) or FEMA-approved local floodplain construction requirements.*	Water Resources
17	Palmetto Railways will design culverts and/or bridges to maintain existing surface water drainage patterns and not cause or exacerbate flooding on adjacent properties.*	Water Resources
18	Palmetto Railways will adhere to Berkeley County's stormwater regulations associated with the specific implementation of various stormwater management facilities where applicable and under Berkeley County's jurisdiction (i.e., ditches, culverts, secondary collection systems, etc.). *	Water Resources
19	Palmetto Railways will design culverts and bridges to maintain existing flow and hydrology for wetland areas and to prevent flooding upstream.*	Water Resources
20	Palmetto Railways will design drainages located within Federal Emergency Management Agency (FEMA) regulated floodplains (Zone A Special Flood Hazard Area) in accordance with all FEMA or FEMA-approved local floodplain construction requirements.*	Water Resources

ID	Measure	Resource Area Mitigated
21	Palmetto Railways will design culverts and bridges to maintain existing flow/exchange and hydrology for wetland areas.*	Water Resources
22	Palmetto Railways will obtain a Department of the Army permit authorization to discharge fill material into waters of the United States.*	Water Resources
23	Palmetto Railways will design, construct, and operate the rail line and associated facilities to maintain existing water patterns and flow conditions and provide long-term hydrologic stability by conforming to natural stream gradients and stream channel alignment and avoiding altered subsurface flow to the extent practicable. Project-related supporting structures (e.g., bridge piers) will be designed to minimize scour (sediment removal) and increased flow velocity, to the extent practicable.	Water Resources
24	Palmetto Railways will construct project-related water crossings in a manner that minimizes disturbances to streambeds, stream banks, and flow.	Water Resources, Fish and Other Aquatic Species
25	Palmetto Railways will abandon project-related geotechnical boreholes in compliance with the reasonable requirements of South Carolina Department of Health and Environmental Control's R.61-71, Well Standards regulation.	Water Resources
26	During project-related construction, Palmetto Railways will minimize, to the extent practicable, the duration and extent of activity at temporary construction facilities such as staging areas, and provide surface treatments to minimize soil compaction (e.g., break up compacted soils during reclamation to promote infiltration) and promote vegetation regrowth after the facilities are no longer needed to support construction.	Water Resources
27	Palmetto Railways will ensure that all project-related culverts and bridges are clear of debris to avoid flow blockages, flow alteration, and increased flooding. Palmetto Railways shall inspect all project-related bridges and culverts semi-annually (or more frequently, as seasonal flows dictate) for debris accumulation and shall remove and properly dispose of debris promptly.	Water Resources, Fish and Other Aquatic Species
28	Palmetto Railways will comply with the reasonable requirements of the South Carolina Department of Health and Environmental Control regarding the composition of embankment and surface materials used in project-related construction.	Water Resources
29	During project-related construction, Palmetto Railways will use temporary barricades, fencing, and/or flagging in sensitive habitats to contain project-related impacts to the construction area. Palmetto Railways will locate staging areas in previously disturbed sites to the extent practicable, avoiding sensitive habitat areas whenever possible.	Water Resources
30	Palmetto Railways will comply with the requirements of the Permittee-Responsible Mitigation Plan for the Fairlawn C-1 tract and purchase the required compensatory mitigation credits to compensate for impacts on waters of the United States.	Water Resources

ID	Measure	Resource Area Mitigated
31	Palmetto Railways will comply with the requirements of the Certification of Consistency with the South Carolina Coastal Zone Management Program and the Water Quality Certification issued by the South Carolina Department of Health and Environmental Control on March 6, 2019.	Water Resources
32	Palmetto Railways will implement a spill prevention, control, and countermeasures plan during construction and operations to minimize the impact of a potential spill.*	Vegetation, Wildlife, Fish and Other Aquatic Species, Special-Status Species
33	Prior to any project-related construction, Palmetto Railways will develop and implement a mitigation plan to address the spread and control of nonnative invasive plants during project-related construction. This plan will address and designate the following elements: (1) planned seed mixes, (2) weed prevention and eradication procedures, (3) equipment cleaning protocols, (4) revegetation methods, and (5) protocols for monitoring revegetation. Palmetto Railways shall submit this plan to OEA.	Vegetation
34	Palmetto Railways shall design culverts and/or bridges to allow aquatic organisms to pass relatively unhindered.*	Fish and Other Aquatic Species
35	Palmetto Railways will align structures over water and/or other benthic resources (organisms that live in the sediments) so as to minimize the over-water footprint as much as possible.*	Special-Status Species
36	Palmetto Railways will protect bald eagles by adhering to the Bald and Golden Eagle Protection Act even though eagles have been delisted under the Endangered Species Act.*	Special-Status Species
37	Palmetto Railways will comply with the Migratory Bird Treaty Act of 1918 by following all laws and regulations pertaining to the removal/take of nests within the limits of the project construction area.*	Special-Status Species
38	<p>Palmetto Railways will implement the following best management practices during project-related construction by the contractor responsible for the execution of the work. These are required in addition to conditions set forth in regulatory permit(s).*</p> <ul style="list-style-type: none"> <li>a) Prior to project-related construction, the contractor will prepare a work plan describing its proposed construction approach, methodology, and equipment to be used. Palmetto Railways will review this plan to ensure compliance with applicable regulatory requirements and mitigation and best management practices. The contractor will also be required to attend and document his/her attendance at a pre-construction conference meeting with Palmetto Railways.</li> <li>b) Once construction is initiated, the contractor will complete the project in an expeditious manner in order to minimize the period of disturbance to environmental resources.</li> <li>c) Land-disturbing activities will not encroach into any wetland areas outside of the permitted impact area.</li> </ul>	Special-Status Species



ID	Measure	Resource Area Mitigated
	<ul style="list-style-type: none"> <li>d) The contractor will implement best management practices to minimize erosion and migration of sediments on and off the upland project site, including reclaimed lands, during and after project-related construction. The contractor will conduct inspections at a minimum of at least once every calendar week or within 24 hours of the end of a storm event of 0.5 inch or more, until final stabilization is reached on all areas of the construction site.</li> <li>e) The contractor will ensure that oil, tar, trash, debris, and other pollutants do not enter the adjacent waters or wetlands during project-related construction.</li> <li>f) The contractor will instruct all construction personnel on the potential presence of protected species in the construction area and the need to prevent entrapment, harm, or other impacts on these animals.</li> <li>g) The contractor will advise all construction personnel that there are civil and criminal penalties for harming, harassing, or killing protected species.</li> <li>h) The contractor will complete all in-water construction activities during daylight hours.</li> </ul>	
39	<p>Palmetto Railways will implement the following best management practices related to vessel operations during project-related construction by the contractor responsible for the execution of the work: *</p> <ul style="list-style-type: none"> <li>a) Palmetto Railways will use shallow draft vessels that maximize the navigational clearance between the vessel and the river bottom (e.g., "jon boats", flat-bottomed barges) where possible.</li> <li>b) Palmetto Railways will operate all vessels associated with the rail construction project at "no wake/idle" speeds whenever possible while in the construction area and while in water depths where the draft of the vessel provides less than a 4-foot clearance from the bottom.</li> <li>c) If a protected species is seen within 300 feet of the active daily construction/dredging operation or vessel movement, Palmetto Railways will implement all appropriate precautions to ensure its protection. These precautions will include cessation of operation of any moving equipment within 50 feet of a protected species. Operation of any mechanical construction equipment will cease immediately if a protected species is seen within a 50-foot radius of the equipment. Activities may not resume until the protected species has departed the project area of its own volition.</li> <li>d) Palmetto Railways will immediately report any collision with and/or injury to Atlantic sturgeon and/or shortnose sturgeon</li> </ul>	Special-Status Species

ID	Measure	Resource Area Mitigated
	to the NOAA Fisheries, Office of Protected Species at (727) 824-5312.	
40	To the extent practicable, Palmetto Railways will minimize project-related ground disturbance, clearing of established vegetation, and removal of wildlife habitats and riparian vegetation during project-related construction.	Special-Status Species
41	Palmetto Railways will require that its contractors avoid in-water work at the Diversion Canal between January and June 15, to the maximum extent practicable, to avoid periods of anadromous fish migration and spawning.	Special-Status Species
42	Palmetto Railways will use continuously welded rail to minimize noise associated with operation of the rail line.*	Noise and Vibration
43	Palmetto Railways will work with FRA and local communities, if requested, to establish Quiet Zones at the crossings of Ranger Road, Mudville Road, Shortcut Road, SC 311, and Old Highway.*	Noise and Vibration
44	Palmetto Railways will maintain at least a 50-foot buffer between the right-of-way for the new rail line and the Garrett Cemetery.*	Cultural and Historical Resources and Land Resources
45	Palmetto Railways will issue a stop work order should previously unknown or unevaluated buildings, objects, districts, archeological sites, human remains, funerary artifacts, or associated artifacts be discovered during project-related construction. Palmetto Railways will stop all work near the find and immediately notify the Corps [USACE] and OEA. The Corps will begin re-initiation of the Section 106 process, including consultation with State Office of Historic Preservation, interested parties, and interested federally recognized tribes to determine whether the discovery constitutes a National Register of Historic Places eligible historic property, to analyze whether an adverse effect is posed by the undertaking, and to develop appropriate resolution. Construction at the site shall not resume in the vicinity of the discovery until a determination is made on any appropriate mitigation or protection of the resource. All procedures will comply with federal regulations at 36 C.F.R. § 800.13.	Cultural and Historical Resources
46	Palmetto Railways will maintain access to the Palmetto Trail at Lake Moultrie Passage at all times during construction of the new rail line and post signs directing trail users along the detour route at Viper Road.	Land Resources
47	To reduce the emission of pollutants during project-related construction, Palmetto Railways and its contractors will observe appropriate construction best management practices.*	Air Quality and Climate Change
48	Palmetto Railways will implement a dust mitigation program during the construction of the new rail line to ensure emissions and fugitive dust are kept at a minimum, such as spraying water or other established measures. Palmetto Railways will also operate water trucks on haul roads as necessary to reduce dust.*	Air Quality and Climate Change

ID	Measure	Resource Area Mitigated
49	To limit project-related construction emissions, Palmetto Railways will work with its contractor(s) to ensure that construction equipment is properly maintained and that required pollution-control devices are in working condition.*	Air Quality and Climate Change
50	Palmetto Railways will comply with applicable air quality state construction and operating permit requirements, conditions, and reporting.*	Air Quality and Climate Change
51	Palmetto Railways will operate and maintain air pollution control equipment in accordance with applicable permit requirements.*	Air Quality and Climate Change
52	Following construction of the rail line, Palmetto Railways will implement appropriate soil stabilization and vegetation management measures.*	Geology and Soils
53	Prior to initiating project-related construction, Palmetto Railways will develop a public, agency, and stakeholder coordination plan to ensure that outreach to diverse groups takes place throughout the project area to improve public awareness and education about the project.*	Socioeconomics
54	Palmetto Railways will team with a local telecommunications company to provide financial assistance for a broadband infrastructure improvement program for the communities surrounding the project area. The extent and mechanism for implementing this assistance will be finally determined after input with local community leaders to ensure that the assistance meets the greatest need.*	Socioeconomics
55	Palmetto Railways will provide financial assistance for renovations and improvements to the existing Community Center and Spiers Landing recreational facility that are utilized by the Cross community. Again, the extent and mechanism for implementing this assistance will be finally determined after input with local community leaders.*	Socioeconomics
56	Palmetto Railways will comply with all of the final mitigation measures imposed by the joint lead agencies and all requirements of permits and approvals required under applicable federal and state regulations.	General Monitoring and Enforcement
57	Prior to initiation of project-related construction activities, and for a period of 1 year following start-up of operations on the rail line, Palmetto Railways will establish a community liaison to consult with affected communities, businesses, and appropriate agencies; develop cooperative solutions to local concerns; be available for public meetings; and conduct periodic public outreach. Palmetto Railways will provide the name and phone number of the community liaison to mayors and other appropriate local officials in each community through which the rail line passes.	General Monitoring and Enforcement
58	If there is material new evidence, or substantially changed circumstances, that differ from the information upon which the joint lead agencies relied on in imposing specific environmental mitigation conditions, and upon petition by any party that demonstrates such material change, the joint lead agencies may revise their final mitigation, if warranted and appropriate.	General Monitoring and Enforcement

ID	Measure	Resource Area Mitigated
59	Palmetto Railways will submit quarterly reports to OEA on the progress of, implementation of, and compliance with all Board-imposed mitigation measures. The reporting period for these quarterly reports will begin on the date of a Final Decision by the Board authorizing the project and continue until 1 year after Palmetto Railways has completed project-related construction activities. Palmetto Railways will submit copies of the quarterly reports within 30 days following the end of each quarterly reporting period to OEA.	General Monitoring and Enforcement

Source: OEA and USACE 2018, 2019

\* Voluntary mitigation measure

## Chapter 9

# Coordination and Consultation

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In August 2017, following Palmetto Railways' filing of a Petition for Exemption with the Board, OEA, working with USACE and the Coast Guard, began consultation with tribes and federal, state, and local agencies by sending each entity a letter that described the Project area and requested information on environmental resources that could be affected by the proposed rail line. The joint lead agencies also enquired about required approvals and permits. As part of this consultation effort, OEA formally invited the following tribes to consult under Section 106: Eastern Band of Cherokee Indians, Eastern Shawnee Tribe of Oklahoma, United Keetoowah Band of Cherokee, Wassamasaw Tribe of Varnertown Indians, Catawba Indian Nation, and Muscogee (Creek) Nation. . Two tribes responded to the letter and requested involvement in government-to-government consultation. Accordingly, during preparation of the Draft EA, the joint lead agencies consulted with the Catawba Indian Nation and Muscogee (Creek) Nation and provided them with archaeological and historic properties information developed for the proposed rail line as described in the NHPA Section 106 Finding of Effect. For the three identified historic properties - Diversion Canal, Bulltown Ditch, and Garrett Cemetery- about which none of the consulting tribes had concerns, no adverse effects were identified. Only one tribe, the Muscogee (Creek) Nation, commented on the Draft EA (which included the FOE) stating that they had no comments. Their letter is included in the Final EA, Appendix A Comments.

On March 7, 2018, USACE hosted an interagency meeting in Charleston, South Carolina, allowing Palmetto Railways to present an overview of the proposed rail line to a number of federal and state agencies. OEA, the Coast Guard, and ICF, the joint lead agencies' independent third-party consultant for this Project, also participated in the meeting. Agencies were able to become familiar with the Project, ask questions, and explain their review processes.

On April 4, 2018, pursuant to USACE's permit requirements, USACE issued a Public Notice in response to the Palmetto Railways' DA permit application to discharge fill material into waters of the United States and wetlands associated with Bulltown Ditch, the Diversion Canal (between Lake Marion and Lake Moultrie), and tributaries to Caton Creek and Black Creek for the purpose of constructing the proposed rail line (Draft EA Appendix D, *Agency Notices and Comment Letters*). The Public Notice comment period ended on May 4, 2018. USACE received 10 utility, agency, tribal, and citizen comments pertaining to potential environmental impacts and benefits. The public comments resulting from the Public Notice are discussed in the Draft EA Appendix D, *Agency Notices and Comment Letters*.

On July 27, 2018, pursuant to its own requirements, the Coast Guard issued a Preliminary Public Notice to solicit comments on Palmetto Railways' proposal to construct a fixed railroad bridge over the Santee Cooper Diversion Canal. The notice requested that mariners express their views on navigation access and safety issues, including the need for clearance gauges and extended nighttime navigation through the proposed bridge. The Coast Guard received three responses to the notice (Draft EA Appendix D, *Agency Notices and Comment Letters*).

The joint lead agencies developed and maintained a Project website where information about the project, including the Draft EA and the Final EA, was publicly available.<sup>12</sup> Contents of the Project website included relevant maps, agency and tribal correspondence, information requests from the joint lead agencies to the Palmetto Railways and the Palmetto Railways' responses, Project updates, and an option to join the joint lead agencies' mailing list for the Project. In addition, filings, decisions, and correspondence related to the Project are posted on the Board's website.<sup>13</sup>

As Palmetto Railways developed the Project concept and prior to its applications to the joint lead agencies, Palmetto Railways engaged with communities and organizations in the Project area and agencies with jurisdiction and expertise to develop and update Project information on its own Project website. Palmetto Railways also conducted two public meetings pertaining to the proposed rail line.

On November 30, 2018, the Board released the Draft EA for public review and comment (Board Decision ID No. 46695) and published a Notice of Availability of the Draft EA in the *Federal Register* (83 FR 61707). OEA and USACE distributed the Draft EA to all parties of record for this docket and the environmental distribution list, which includes key governmental agencies, federally recognized tribes, and other appropriate entities. The Draft EA was made available through the joint lead agencies' Project website and the Board's website (see footnotes 7 and 8). OEA and USACE also made the Draft EA available for public review in the reference sections of the six public libraries in Berkeley County, South Carolina.

OEA and USACE encouraged the public and any interested parties to submit written comments on all aspects of the Draft EA. The comment period was initially set to close on December 30, 2018. Because of the partial federal government shutdown, on January 28, 2019, the Board issued a decision extending the comment period to February 4, 2019. The joint lead agencies received nine comments, including comments from three agencies, one tribe, two individuals, one corporation, and two from Palmetto Railways (Final EA Appendix A, *Comment Letters*). OEA and USACE considered all comments received on the Draft EA, including comments received after the close of the comment period, and responded to all substantive comments in the Final EA. The points raised in each of these comments and joint lead agency responses are provided in the Final EA, Chapter 3, *Draft EA Comments and Responses*.

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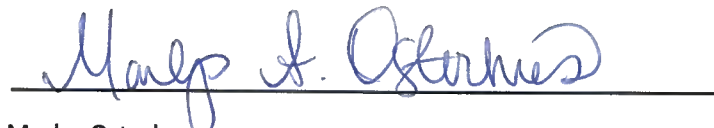
<sup>12</sup> The Project website was <http://www.camphallrailnepa.com/>.

<sup>13</sup> The Board's website is <https://www.stb.gov/stb/index.html>. Search for environmental correspondence at <https://www.stb.gov/proceedings-actions/search-stb-records/> using docket number FD 36095.

## Chapter 10 Conclusion

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FRA finds that the Camp Hall Industrial Corridor Project as presented and assessed in the attached Environmental Assessment (EA), and associated technical reports; the Section 4(f) evaluation; the mitigation measures required; and the comments offered by agencies, stakeholders, and the public on this record, satisfies the requirements of NEPA (42 U.S.C. §§ 4321 et seq.), Council on Environmental Quality regulations (40 CFR Parts 1500–1508), and FRA's Procedures for Considering Environmental Impacts (64 FR 28545, May 26, 1999), and 23 CFR § 771. The Selected Alternative would have no foreseeable significant impact on the quality of the human or natural environment provided it is implemented in accordance with the commitments identified in this Finding of No Significant Impact (FONSI). Palmetto Railways is responsible for ensuring all environmental commitments identified in this FONSI are fully implemented. FRA has also satisfied requirements under Section 4(f) of the USDOT Act. FRA has determined that rail line will result in a *de minimis* use of all three historic properties. The EA provides sufficient evidence and analysis for FRA to determine that an environmental impact statement is not required for the Camp Hall Industrial Corridor Project as presented.



Marlys Osterhues  
Acting Director, Office of Environmental Program Management  
Federal Railroad Administration

01/03/2023  
Date

FRA's Office of Environmental Program Management, with assistance from FRA's Office of Chief Counsel, prepared this document in 2022 in accordance with FRA's Procedures for Considering Environmental Impacts and NEPA. For further information regarding this FONSI contact:

Matthew Mielke  
Project Manager  
U.S. Department of Transportation  
Federal Railroad Administration  
Office of Regional Outreach & Project Delivery  
1200 New Jersey Avenue, SE  
Washington, DC 20590  
(202) 536-8157

## Chapter 11

# References

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Appendix A

**Supplemental Section 106 Compliance Camp Hall Rail,  
Berkeley County, South Carolina**

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## Memorandum

To: Matthew Mielke, Federal Railroad Administration

From: Debi Rogers, Managing Director, Environment & Planning  
Colleen Davis, Senior Architectural Historian  
Alice Muntz, Senior Archaeologist

CC:

Date: 8 March 2022

Re: Supplemental Section 106 Compliance  
Camp Hall Rail, Berkeley County, South Carolina  
Federal Railroad Administration

The purpose of this memorandum is to recommend an approach to the Federal Railroad Administration for supplemental National Historic Preservation Act Section 106 compliance for the proposed Camp Hall Railroad project in Berkeley County, South Carolina.

### Background

Palmetto Railways proposes to construct and operate a new 27.2 mile rail line to provide service from Camp Hall Commerce Park to the A-Line of CSX Transportation, Inc. (Project). Palmetto Railways commissioned Amec Foster Wheeler Environment & Infrastructure, Inc. to prepare a Phase I Cultural Resource Survey of the Proposed Camp Hall Railroad Build-In, Berkeley County, South Carolina, dated October 2017 (2017 Report; Sipe and Carpini 2017). The 2017 Report recommended architectural properties in the Project area as listed in and eligible for listing in the National Register of Historic Places (NRHP) but did not identify any archaeological properties as NRHP-listed or eligible.

The Surface Transportation Board's Office of Environmental Analysis together with the Corps, as joint lead agencies, evaluated potential environmental effects of the proposed project pursuant to the National Environmental Policy Act of 1969 (NEPA), as amended (42 U.S.C. § 4321 et seq.), the Board's environmental rules at 49 CFR § 1105, the Corps' permitting authority under Section 404 of the Clean Water Act (40 CFR Part 230), and other applicable federal and state laws including Section 106 of the National Historic Preservation Act of 1966 (NHPA), as amended (54 U.S.C. § 306108), and its implementing regulations at 36 Code of Federal Regulations (CFR) Part 800. In accordance with 36 CFR 800.2(a)(2), on June 13, 2018, OEA designated the Corps as the lead federal agency for fulfilling the collective OEA and Corps responsibilities under Section 106. On July 12, 2018, the Federal Railroad

Administration (FRA) accepted OEA's invitation to be a cooperating agency on the Environmental Assessment and also designated the Corps as the lead federal agency for this undertaking for purposes of Section 106 compliance.

The Corps adopted the NRHP-eligibility recommendations in the 2017 report. In August 2018, ICF prepared a National Historic Preservation Act (NHPA) Section 106 Finding of Effect on behalf of the Corps and the Surface Transportation Board (2018 Report; ICF 2018). In the 2018 Report, the Corps concluded that the Project would result in no adverse effect to historic properties, with conditions. The South Carolina State Historic Preservation Office (SC SHPO) concurred with the Corps' finding of effect on August 24, 2018 (Attachment A). The NEPA Environmental Assessment was completed in April 2019.

FRA now proposes to grant funding for construction of the Project. In order to ensure that the conclusions memorialized in the 2018 Report remain valid, FRA requested that ICF perform additional analysis. Specifically, FRA directed ICF to perform a literature review to determine a) whether any additional historic properties have been identified in the Area of Potential Effects (APE) since 2017 and b) whether any properties in the APE have reached the 50-year age threshold since 2017.

### **Project Area Setting and Area of Potential Effects**

Given that the Corps is the lead federal agency for this undertaking to fulfill the collective responsibilities of the Corps, OEA, and FRA for purposes of Section 106, this document focuses on the APE as defined at 36 CFR Part 800.16(d).

As noted in the STB and Corps' environmental analysis (2018 Report; ICF 2018), the Project area's topography is primarily low and flat with occasional subtle landforms. The hydrology of the area originally included extensive wetlands with a profusion of native pines suited to the wetland environment. The introduction of the Cooper Santee Hydroelectric Project resulted in dramatic changes to the hydrology by introducing Lakes Moultrie and Marion, reducing the wetlands, and altering other water features such as swamps, rivers, and tributaries. Some of the pines have been clear-cut.

In the 2018 Report (ICF 2018), the Corps defined the Project APE as follows:

- For archaeological sites, the Project footprint plus a 100-foot wide buffer zone on either side of the edge of the Project footprint to account for construction staging and access.
- For aboveground built environment resources (i.e., buildings, structures, objects, landscapes, and districts), the Project footprint plus a 200-foot wide buffer on either side of the Project footprint. Due to changes the area's setting resulting from alterations to hydrologic landscape and the presence of extensive pine trees that serve as visual screens, this buffer is adequate to account for the full range of potential effects including physical, visual, auditory, and atmospheric effects.

SC SHPO concurred with this APE on August 24, 2018 (Attachment A).

### **Literature Review**

On February 14, 2022, qualified archaeologist and GIS specialist Alice Muntz reviewed cultural resources records from the South Carolina Institute for Archaeology and Anthropology (SCIAA) and South Carolina Department of Archives and History (SCDAH). Ms. Muntz confirmed that no new archaeological or aboveground built environment resources had been recorded since the preparation of the 2017 Report within a larger study area of one-half mile from the centerline of the proposed Project corridor.

Ms. Muntz also reviewed records from the Berkeley County GIS (Berkeley County 2022) to identify whether any aboveground built environment properties within the study area reached the 50-year age threshold for NRHP-eligibility consideration since preparation of the 2017 Report. Historic United States Geological Survey (USGS) topographic maps (USGS 1958, 1979a, 1979b, 1979c, 1979d) and aerial imagery (NETRonline n.d.) were also consulted during the review.

Ms. Muntz used conservative search parameters that identified 13 aboveground built environment historic resources within the study area which may have been constructed between 1967 and 1972 (Table 1). None of the properties in Table 1 are located within the APE for aboveground built environment resources as defined in the previous section.

*Table 1. Aboveground Built Environment Resources Built 1967–1972 within Study Area (One-Half Mile of Project Centerline)*

<b>Name</b>	<b>Address</b>	<b>Year Built</b>	<b>Distance from Project Footprint at its Closest (Approximate)</b>
None	603 Mammy's Lane, Pineville, SC 29468	1972	1,478 feet (0.28-mile) east of Project
None	610 Mammy's Lane, Pineville, SC 29468	1972	1,742 feet (0.33-mile) east of Project
None	150 Lovers Lane, Cross, SC 29436	1957–1972 (presumed 1967–1972)	2,112 feet (0.40-mile) southeast of Project
None	156 Lovers Lane, Cross, SC 29436	1957–1972 (presumed 1967–1972)	2,323 feet (0.44-mile) southeast of Project
None	152 Lovers Lane, Cross, SC 29436	1957–1972 (presumed 1967–1972)	2,482 (0.47-mile) southeast of Project
Jerusalem United Methodist Church	1096 Old Highway 6, Cross, SC 29436	1957–1972 (presumed 1967–1972)	1,109 (0.21-mile) east-southeast of Project
None	1106 Old Highway 6, Cross, SC 29496	1957–1972 (presumed 1967–1972)	950 feet (0.18-mile) east of Project
None	134 Harley Circle, Cross, SC 29436	1957–1972 (presumed 1967–1972)	2,376 feet (0.45-mile) east of Project
None	218 Harley Circle, Cross, SC 29436	1970	739 feet (0.14-mile) southeast of Project
None	210 Harley Circle, Cross, SC 29436	1957–1972 (presumed 1967–1972)	739 feet (0.14-mile) southeast of Project
None	188 Harley Circle, Cross, SC 29436	1957–1972 (presumed 1967–1972)	739 feet (0.14-mile) south of Project
None	1051 Highway 311, Cross, SC 29436	1957–1972 (presumed 1967–1972)	422 feet (0.08-mile) east-northeast of Project

Name	Address	Year Built	Distance from Project Footprint at its Closest (Approximate)
None	2332 Mudville Road, Cross, SC 29436	1972	2,376 feet (0.45-mile) northeast of Project

Source: Berkeley County 2022.

## Conclusion

According to ICF's analysis of data provided by SCIAA/SCDAH (n.d.), Berkeley County GIS (2022), and other resources (NETRonline n.d.; USGS 1958, 1979a, 1979b, 1979c, 1979d), no additional historic properties in the APE for aboveground built environment historic resources have the potential to be eligible for the listing in the NRHP. The conclusions in the 2018 Report, therefore, need not be changed. The Project will result in no adverse effect.

## Attachments

Attachment A: SC SHPO concurrence letter on the 2018 Report (ICF 2018). Keely Lewis, Archaeologist, South Carolina Department of Archives & History (SCDAH/SHPO), to Travis G. Hughes, Chief, Regulatory Division, Department of the Army, U.S. Army Corps of Engineers, Charleston District. August 24, 2018.

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1979d. 1:24000-Scale Topographic Map of Pineville, SC. Reston, VA.



August 24, 2018

Travis G. Hughes  
Chief, Regulatory Division  
Department of the Army  
U.S. Army Corps of Engineers, Charleston District  
69A Hagood Avenue  
Charleston, South Carolina 29403

Re: Camp Hall Rail Project  
(SAC-2016-01395)  
Berkeley County, South Carolina  
SHPO Project No. 16-EJ0087

Dear Travis Hughes:

Thank you for your letter of August 8, 2018, which we received on August 10, 2018, regarding the above-referenced proposed undertaking. We also received the *Camp Hall Rail Project: National Historic Preservation Act Section 106 Finding of Effect*, plans, and elevation drawings as supporting documentation for the proposed undertaking. In an email from Elizabeth Williams dated August 23, 2018, our Office additionally received the *Palmetto Railways Response to National Marine Fisheries Service Questions*, the letter to John Winkle dated July 13, 2018 regarding Palmetto Railways Construction Exemption in Berkeley County, South Carolina; Uses of Section 4(f) Properties, the *Palmetto Railways Construction Exemption Properties Section 4(f)* map, and the *Lake Moultrie Passage of the Palmetto Trail- Section 2* map following our request for the documents cited in the *Finding of Effect* in regards to the best management practices, stabilization and minimization measures. The State Historic Preservation Office (SHPO) is providing comments to the U.S. Army Corps of Engineers (Corps), the Surface Transportations Board's Office of Environmental Analysis (OEA) and the Federal Railroad Administration (FRA) pursuant to Section 106 of the National Historic Preservation Act and its implementing regulations, 36 CFR 800. Consultation with the SHPO is not a substitution for consultation with Tribal Historic Preservation Offices, other Native American tribes, local governments, or the public.

The proposed undertaking is defined as the construction of a 22.7-mile industrial rail line. The Area of Potential Effect (APE) for the proposed undertaking is defined as the project footprint plus a 100-foot-wide buffer zone on either side of the edge of the project footprint.

As noted in your letter and the *Finding of Effect*, the Diversion Canal (SHPO Site No. 0786), Garrett Cemetery (SHPO Site No. 1263), and the Bulltown Ditch (SHPO Site No. 1270) were previously identified in the APE and determined to be eligible for listing in the National Register of Historic Places (NRHP) (Sipe and Carpini 2017). The Corps has applied the criteria of adverse effect to these historic properties.

In applying the criteria of adverse effect to the Diversion Canal (SHPO Site No. 0786), the Corps notes that the proposed new railroad will be carried over the canal by a newly constructed six-span bridge. The overall bridge design is modeled generally on the existing Highway 45 Bridge that currently crosses the Diversion Canal approximately 1 mile to the north of the APE. The Corps notes that while the construction of the new railroad infrastructure has the potential to affect the structural integrity of the canal, the applicant's current plans include stabilization measures and best management practices designed to avoid adverse effects of this nature. The Corps recommends that the canal's significance is due to engineering and historical importance and will not be adversely affected by auditory or vibratory effects from the proposed infrastructure.

In applying the criteria of adverse effect to the Bulltown Ditch (SHPO Site No. 1270), the Corps notes that the proposed new railroad will cross a section of the ditch by a three-barrel culvert in a section already crossed by an existing railroad line and an electrical transmission line. The Corps recommends that the significance of Bulltown Ditch is tied to its association with the Santee Canal, and its role as a transportation corridor and an engineering achievement, therefore, it would not be adversely affected by temporary or permanent visual or noise effects. The Corps notes that while the proposed undertaking has the potential to affect the structural integrity of the canal, the Applicant has proposed to stabilize the ditch's bank during construction which will avoid a direct adverse effect to its structural integrity.

In applying the criteria of adverse effect to Garrett Cemetery (SHPO Site No. 1263), the Corps notes that the proposed right-of-way will be located approximately 120-feet from the cemetery. The Corps recommends that the grave markers conveying the significance of the cemetery will not be directly affected. The Corps notes that temporary and permanent changes of setting, including the construction and operation of the railroad, have the potential to affect Garrett Cemetery. In order to avoid any adverse effect, a 50-foot buffer will be established around the cemetery.

The Corps recommends that conditions be placed on the undertaking to ensure the preservation of significant features of the historic properties and to accommodate changes to the project description and/or footprint that may occur as the undertaking proceeds. We concur with this recommendation and recommend that the referenced conditions be submitted for review by our office and that additional coordination occur with our Office if the project description and/or footprint changes.

The Corps recommends that the proposed undertaking will have no adverse effect on historic properties. Based on the description of the Area of Potential Effect (APE), the identification of historic properties within the APE, the application of the criteria of adverse effect, and contingent on the review of the conditions by our Office, we concur with the assessment that no properties listed in or eligible for listing in the NRHP will be adversely affected by this project.

If archaeological materials are encountered during construction, the procedures codified at 36 CFR 800.13(b) will apply. Archaeological materials consist of any items, fifty years old or older, which were made or used by man. These items include, but are not limited to, stone projectile points (arrowheads), ceramic sherds, bricks, worked wood, bone and stone, metal and glass objects, and human skeletal materials. The federal agency or the applicant receiving federal assistance should contact our office immediately.

Please refer to SHPO Project Number 16-EJ0087 in any future correspondence regarding this project. If you have any questions, please contact me at (803) 896-6181 or [KLewis@scdah.sc.gov](mailto:KLewis@scdah.sc.gov).

Sincerely,

A handwritten signature in black ink that reads "Keely Lewis". The script is cursive and fluid, with the first name "Keely" and last name "Lewis" clearly distinguishable.

Keely Lewis  
Archaeologist  
State Historic Preservation Office

cc: Elizabeth Williams, Corps  
Michelle Zulauf, Corps  
Diana Wood, OEA  
John Winkle, FRA  
Richard Kanaski, USFWS  
T Ravenel, Palmetto Railways