



SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Office of Environmental Analysis

May 18, 2018

Russell Townsend
Tribal Historic Preservation Officer
Eastern Band of Cherokee Indians
PO Box 455
Cherokee, NC 28719

Re: Docket No. FD 36095, Palmetto Railways—Construction and Operation Exemption—In Berkeley County, South Carolina; **Invitation to Section 106 Consultation**

Dear Mr. Townsend:

This letter invites you to consult under Section 106 of the National Historic Preservation Act (Section 106) regarding the above-referenced rail line construction project. As you may know, on August 3, 2017, Palmetto Railways (Palmetto or Applicant) filed a petition with the Surface Transportation Board (Board), pursuant to 49 U.S.C. § 10502, for authority to construct and operate a 22.7-mile new rail line in Berkeley County, South Carolina.

The Board's Office of Environmental Analysis (OEA) and the United States Army Corps of Engineers, Charleston District (Corps) are conducting an environmental and historic preservation review of the proposed rail line construction project in compliance with the National Environmental Policy Act (NEPA) and related laws and regulations, including Section 106, and its implementing regulations at 36 C.F.R. Part 800. On September 8, 2017, OEA initiated consultation with you under the National Environmental Policy Act (NEPA).

This letter has two purposes:

- First, to learn whether the Eastern Band of Cherokee Indians is interested in participating as a Section 106 Consulting Party. We have enclosed a Consultation Options Form (Attachment B) that we hope makes it easier for you to select the level of involvement that you are interested in. If we do not hear back from you, we will assume that you do not want to participate as a Section 106 Consulting Party.
- Second, to provide an opportunity for you to submit information or comments on either historic properties and/or potential effects to historic properties that may be located in the area and that should be afforded close attention in the environmental analysis.

For your reference, Attachment A to this letter includes a map of the proposed route currently being considered. Additional information on this project is available on the project website at camphallrailnepa.com. Attachment B is the Consultations Options Form discussed above.

Russell Townsend, Eastern Band of Cherokee Indians

May 18, 2018

Page 2

Diana Wood of my staff is leading OEA's Section 106 consultation for the project. You may contact her at 202-245-0302 or Diana.Wood@stb.gov with any questions. You may also contact David Bauer of ICF, OEA's independent third-party consultant, at David.Bauer@icf.com.

Sincerely,

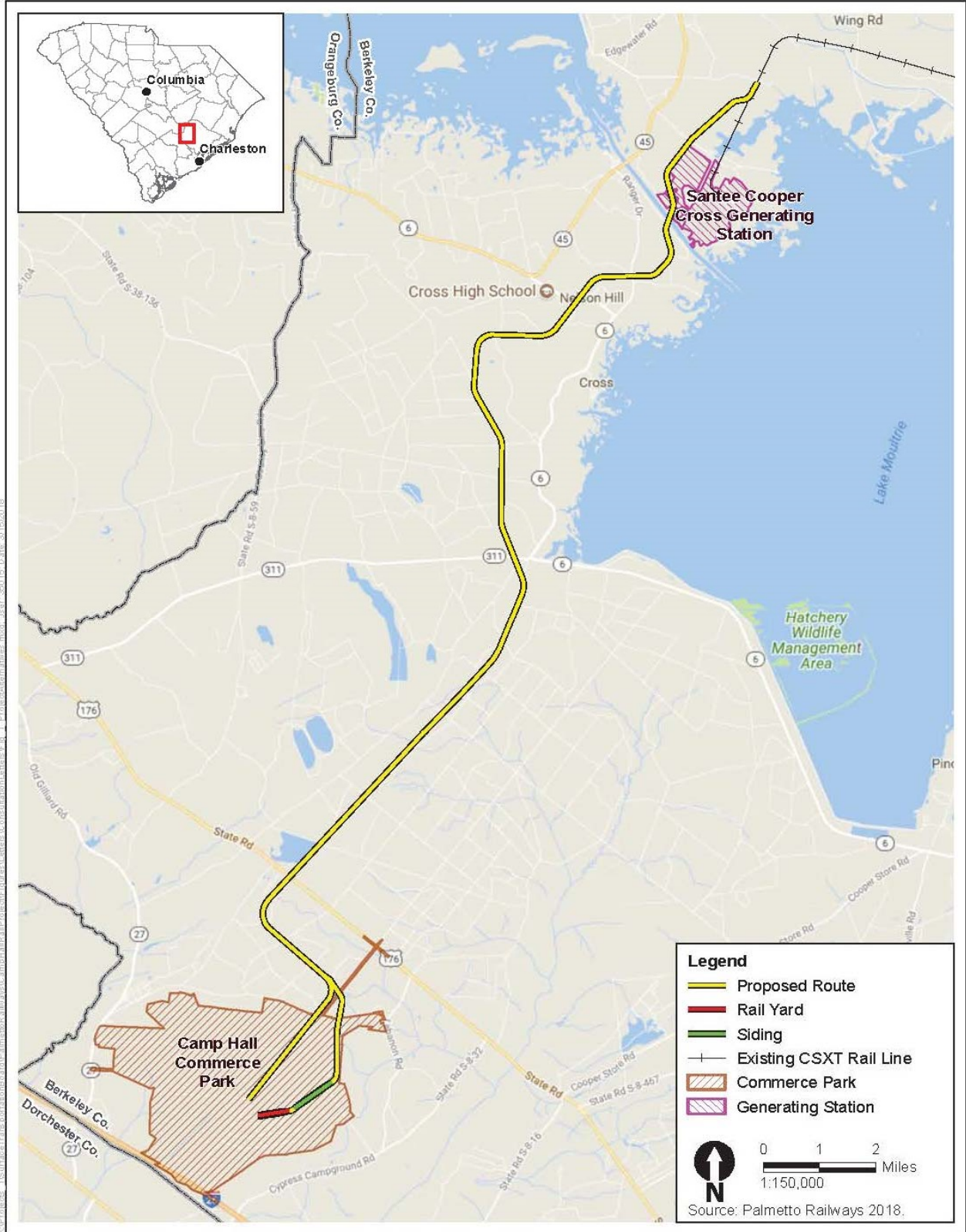
A handwritten signature in black ink that reads "Victoria Rutson". The signature is written in a cursive style with a large initial "V".

Victoria Rutson
Director
Office of Environmental Analysis

Attachments:

- A. Map of Proposed Route
- B. NHPA Section 106 Consultation Options Form

ATTACHMENT A: MAP OF PROPOSED ROUTE



**ATTACHMENT B: NATIONAL HISTORIC PRESERVATION ACT SECTION 106 CONSULTATION
OPTIONS FORM**

Eastern Band of Cherokee Indians

Surface Transportation Board Docket No. FD 36095, Palmetto Railways – Construction and Operation
Exemption—in Berkeley County, South Carolina.

Project Name: Palmetto Railways Proposed Rail Line

Please check all the appropriate response(s) that apply from the list

- _____ We have no interests associated with Palmetto Railways’ proposed rail line and further consultation with our organization is not required.
- _____ We want to continue to receive project information by mail and participate in the public involvement process.
- _____ We have an interest in Palmetto’s proposed rail line and want to participate as a “Consulting Party” in the Section 106 of the NHPA process.
- _____ We have included comments regarding potential historic properties in the project area and/or potential impacts to historic properties on the back of this form or on additional sheets.

Name of Eastern Band of Cherokee Indians designated contact for Section 106 Consultation for the Surface Transportation Board’s decision on whether to allow Palmetto Railways to construct and operate a new rail line in South Carolina:

Please print

Name: _____

Phone: _____

E-mail: _____

Signed: _____

Date: _____

Please mail to: Diana Wood
FD No. 36095
Surface Transportation Board
c/o ICF
8300 Lee Highway
Fairfax, VA 22031



SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Office of Environmental Analysis

May 18, 2018

Robin Dushane
Tribal Historic Preservation Officer
Eastern Shawnee Tribe of Oklahoma
12705 East 705 Road
Wyandotte, OK 74370

Re: Docket No. FD 36095, Palmetto Railways—Construction and Operation Exemption—In Berkeley County, South Carolina; **Invitation to Section 106 Consultation**

Dear Robin Dushane:

This letter invites you to consult under Section 106 of the National Historic Preservation Act (Section 106) regarding the above-referenced rail line construction project. As you may know, on August 3, 2017, Palmetto Railways (Palmetto or Applicant) filed a petition with the Surface Transportation Board (Board), pursuant to 49 U.S.C. § 10502, for authority to construct and operate a 22.7-mile new rail line in Berkeley County, South Carolina.

The Board's Office of Environmental Analysis (OEA) and the United States Army Corps of Engineers, Charleston District (Corps) are conducting an environmental and historic preservation review of the proposed rail line construction project in compliance with the National Environmental Policy Act (NEPA) and related laws and regulations, including Section 106, and its implementing regulations at 36 C.F.R. Part 800. On September 8, 2017, OEA initiated consultation with you under the National Environmental Policy Act (NEPA).

This letter has two purposes:

- First, to learn whether the Eastern Shawnee Tribe of Oklahoma is interested in participating as a Section 106 Consulting Party. We have enclosed a Consultation Options Form (Attachment B) that we hope makes it easier for you to select the level of involvement that you are interested in. If we do not hear back from you, we will assume that you do not want to participate as a Section 106 Consulting Party.
- Second, to provide an opportunity for you to submit information or comments on either historic properties and/or potential effects to historic properties that may be located in the area and that should be afforded close attention in the environmental analysis.

For your reference, Attachment A to this letter includes a map of the proposed route currently being considered. Additional information on this project is available on the project website at camphallrailnepa.com. Attachment B is the Consultations Options Form discussed above.

Robin Dushane, Eastern Shawnee Tribe of Oklahoma

May 18, 2018

Page 2

Diana Wood of my staff is leading OEA's Section 106 consultation for the project. You may contact her at 202-245-0302 or Diana.Wood@stb.gov with any questions. You may also contact David Bauer of ICF, OEA's independent third-party consultant, at David.Bauer@icf.com.

Sincerely,

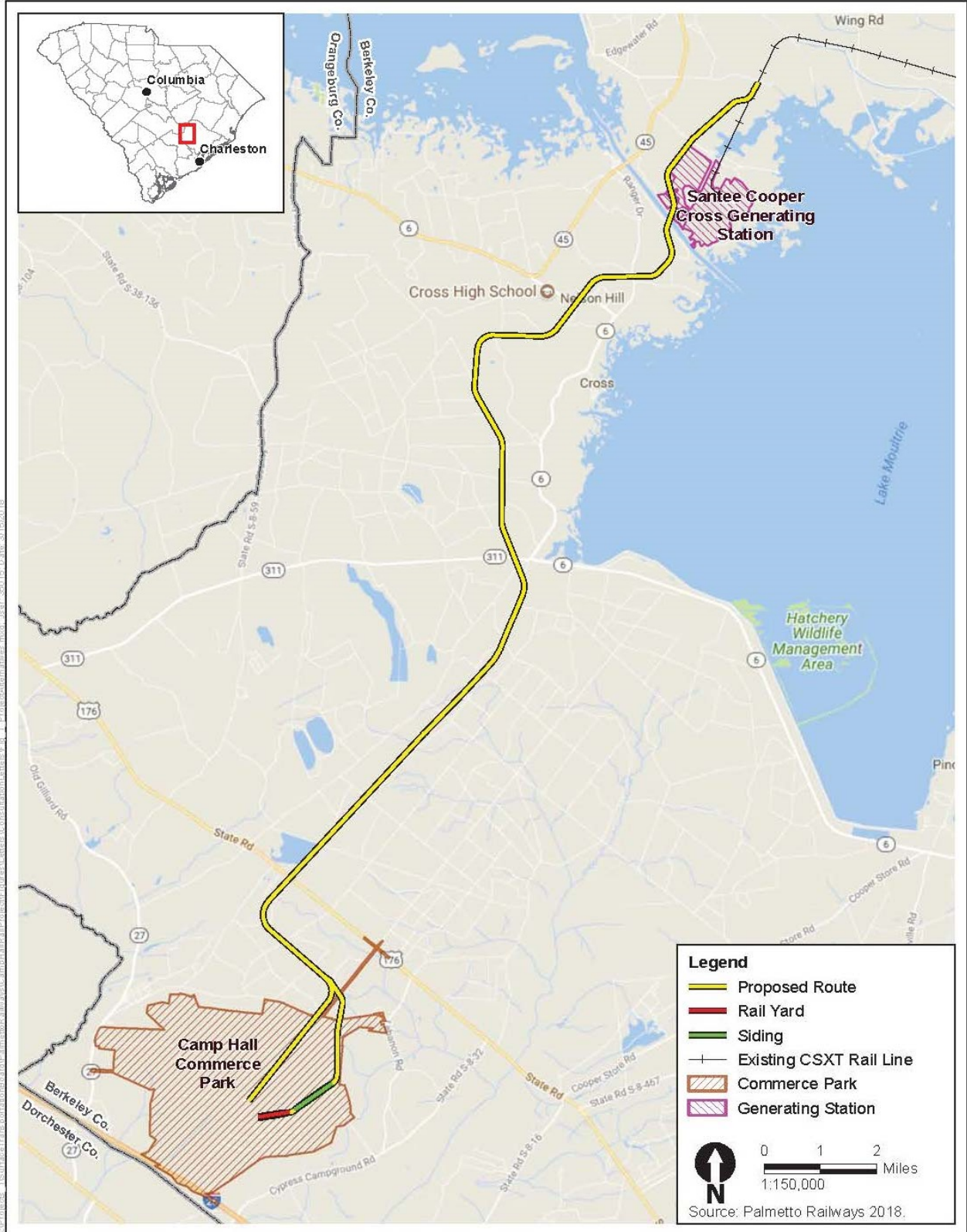
A handwritten signature in black ink that reads "Victoria Rutson". The signature is written in a cursive style with a large initial "V".

Victoria Rutson
Director
Office of Environmental Analysis

Attachments:

- A. Map of Proposed Route
- B. NHPA Section 106 Consultation Options Form

ATTACHMENT A: MAP OF PROPOSED ROUTE



**ATTACHMENT B: NATIONAL HISTORIC PRESERVATION ACT SECTION 106 CONSULTATION
OPTIONS FORM**

Eastern Shawnee Tribe of Oklahoma

Surface Transportation Board Docket No. FD 36095, Palmetto Railways – Construction and Operation
Exemption—in Berkeley County, South Carolina.

Project Name: Palmetto Railways Proposed Rail Line

Please check all the appropriate response(s) that apply from the list

- _____ We have no interests associated with Palmetto Railways’ proposed rail line and further consultation with our organization is not required.
- _____ We want to continue to receive project information by mail and participate in the public involvement process.
- _____ We have an interest in Palmetto’s proposed rail line and want to participate as a “Consulting Party” in the Section 106 of the NHPA process.
- _____ We have included comments regarding potential historic properties in the project area and/or potential impacts to historic properties on the back of this form or on additional sheets.

Name of Eastern Shawnee Tribe of Oklahoma designated contact for Section 106 Consultation for the Surface Transportation Board’s decision on whether to allow Palmetto Railways to construct and operate a new rail line in South Carolina:

Please print

Name: _____

Phone: _____

E-mail: _____

Signed: _____

Date: _____

Please mail to: Diana Wood
FD No. 36095
Surface Transportation Board
c/o ICF
8300 Lee Highway
Fairfax, VA 22031



SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Office of Environmental Analysis

May 18, 2018

Joe Bunch
Tribal Historic Preservation Officer
United Keetoowah Band of Cherokee
PO Box 455
Cherokee, NC 28719

Re: Docket No. FD 36095, Palmetto Railways—Construction and Operation Exemption—In Berkeley County, South Carolina; **Invitation to Section 106 Consultation**

Dear Mr. Bunch:

This letter invites you to consult under Section 106 of the National Historic Preservation Act (Section 106) regarding the above-referenced rail line construction project. As you may know, on August 3, 2017, Palmetto Railways (Palmetto or Applicant) filed a petition with the Surface Transportation Board (Board), pursuant to 49 U.S.C. § 10502, for authority to construct and operate a 22.7-mile new rail line in Berkeley County, South Carolina.

The Board's Office of Environmental Analysis (OEA) and the United States Army Corps of Engineers, Charleston District (Corps) are conducting an environmental and historic preservation review of the proposed rail line construction project in compliance with the National Environmental Policy Act (NEPA) and related laws and regulations, including Section 106, and its implementing regulations at 36 C.F.R. Part 800. On September 8, 2017, OEA initiated consultation with you under the National Environmental Policy Act (NEPA).

This letter has two purposes:

- First, to learn whether the United Keetoowah Band of Cherokee is interested in participating as a Section 106 Consulting Party. We have enclosed a Consultation Options Form (Attachment B) that we hope makes it easier for you to select the level of involvement that you are interested in. If we do not hear back from you, we will assume that you do not want to participate as a Section 106 Consulting Party.
- Second, to provide an opportunity for you to submit information or comments on either historic properties and/or potential effects to historic properties that may be located in the area and that should be afforded close attention in the environmental analysis.

For your reference, Attachment A to this letter includes a map of the proposed route currently being considered. Additional information on this project is available on the project website at camphallrailnepa.com. Attachment B is the Consultations Options Form discussed above.

Joe Bunch, United Keetoowah Band of Cherokee

May 18, 2018

Page 2

Diana Wood of my staff is leading OEA's Section 106 consultation for the project. You may contact her at 202-245-0302 or Diana.Wood@stb.gov with any questions. You may also contact David Bauer of ICF, OEA's independent third-party consultant, at David.Bauer@icf.com.

Sincerely,

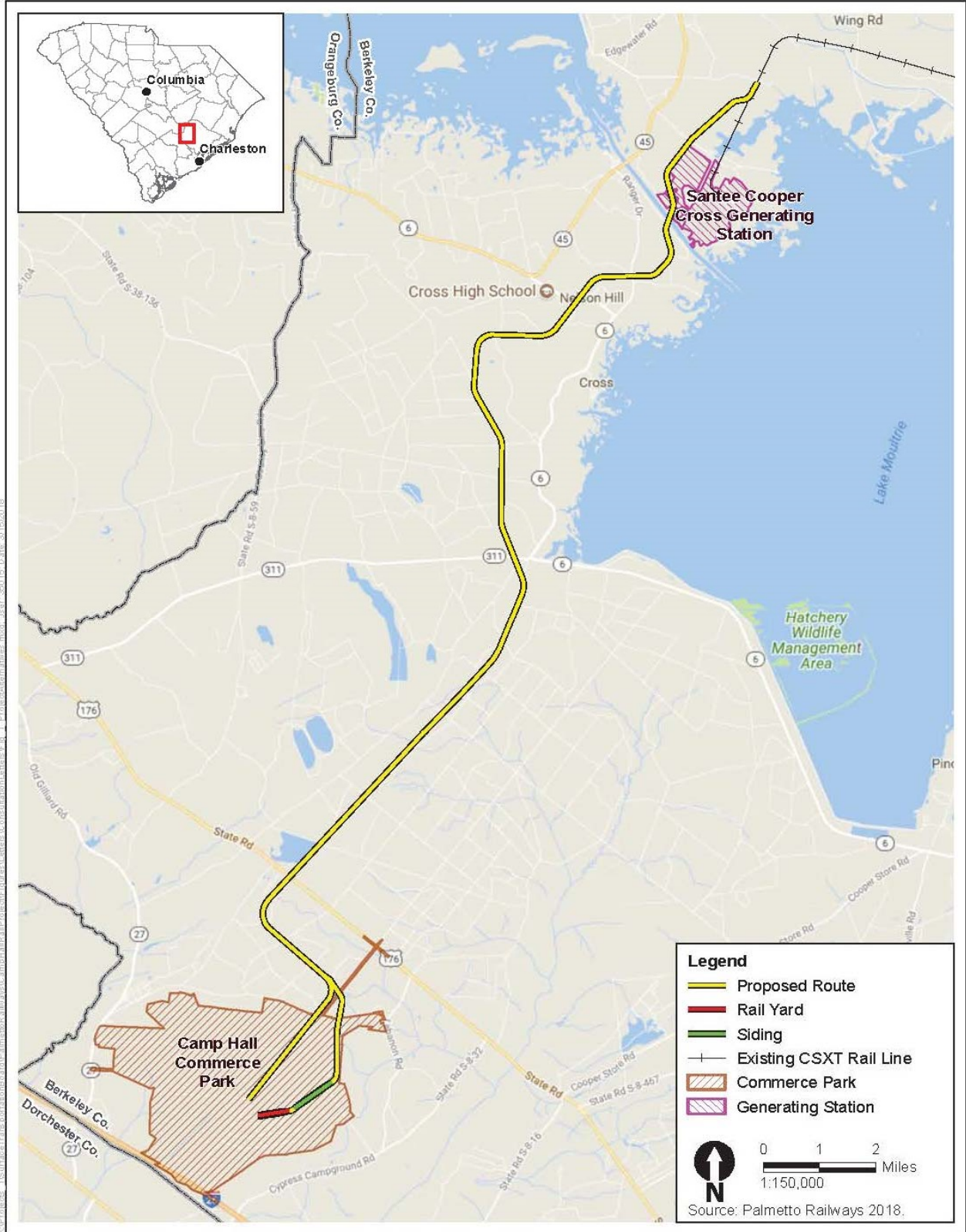
A handwritten signature in black ink that reads "Victoria Rutson". The signature is written in a cursive style with a large initial "V".

Victoria Rutson
Director
Office of Environmental Analysis

Attachments:

- A. Map of Proposed Route
- B. NHPA Section 106 Consultation Options Form

ATTACHMENT A: MAP OF PROPOSED ROUTE



**ATTACHMENT B: NATIONAL HISTORIC PRESERVATION ACT SECTION 106 CONSULTATION
OPTIONS FORM**

United Keetoowah Band of Cherokee

Surface Transportation Board Docket No. FD 36095, Palmetto Railways – Construction and Operation
Exemption—in Berkeley County, South Carolina.

Project Name: Palmetto Railways Proposed Rail Line

Please check all the appropriate response(s) that apply from the list

- _____ We have no interests associated with Palmetto Railways’ proposed rail line and further consultation with our organization is not required.
- _____ We want to continue to receive project information by mail and participate in the public involvement process.
- _____ We have an interest in Palmetto’s proposed rail line and want to participate as a “Consulting Party” in the Section 106 of the NHPA process.
- _____ We have included comments regarding potential historic properties in the project area and/or potential impacts to historic properties on the back of this form or on additional sheets.

Name of United Keetoowah Band of Cherokee designated contact for Section 106 Consultation for the Surface Transportation Board’s decision on whether to allow Palmetto Railways to construct and operate a new rail line in South Carolina:

Please print

Name: _____

Phone: _____

E-mail: _____

Signed: _____

Date: _____

Please mail to: Diana Wood
FD No. 36095
Surface Transportation Board
c/o ICF
8300 Lee Highway
Fairfax, VA 22031



SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Office of Environmental Analysis

May 18, 2018

Lisa Collins
Tribal Administrator
Wassamasaw Tribe of Varnertown Indians
PO Box 428
Summerville, SC 29484

Re: Docket No. FD 36095, Palmetto Railways—Construction and Operation Exemption—In Berkeley County, South Carolina; **Invitation to Section 106 Consultation**

Dear Ms. Collins:

This letter invites you to consult under Section 106 of the National Historic Preservation Act (Section 106) regarding the above-referenced rail line construction project. As you may know, on August 3, 2017, Palmetto Railways (Palmetto or Applicant) filed a petition with the Surface Transportation Board (Board), pursuant to 49 U.S.C. § 10502, for authority to construct and operate a 22.7-mile new rail line in Berkeley County, South Carolina.

The Board's Office of Environmental Analysis (OEA) and the United States Army Corps of Engineers, Charleston District (Corps) are conducting an environmental and historic preservation review of the proposed rail line construction project in compliance with the National Environmental Policy Act (NEPA) and related laws and regulations, including Section 106, and its implementing regulations at 36 C.F.R. Part 800. On September 8, 2017, OEA initiated consultation with you under the National Environmental Policy Act (NEPA).

This letter has two purposes:

- First, to learn whether the Wassamasaw Tribe of Varnertown Indians is interested in participating as a Section 106 Consulting Party. We have enclosed a Consultation Options Form (Attachment B) that we hope makes it easier for you to select the level of involvement that you are interested in. If we do not hear back from you, we will assume that you do not want to participate as a Section 106 Consulting Party.
- Second, to provide an opportunity for you to submit information or comments on either historic properties and/or potential effects to historic properties that may be located in the area and that should be afforded close attention in the environmental analysis.

For your reference, Attachment A to this letter includes a map of the proposed route currently being considered. Additional information on this project is available on the project website at camphallrailnepa.com. Attachment B is the Consultations Options Form discussed above.

Lisa Collins, Wassamasaw Tribe of Varnertown Indians

May 18, 2018

Page 2

Diana Wood of my staff is leading OEA's Section 106 consultation for the project. You may contact her at 202-245-0302 or Diana.Wood@stb.gov with any questions. You may also contact David Bauer of ICF, OEA's independent third-party consultant, at David.Bauer@icf.com.

Sincerely,

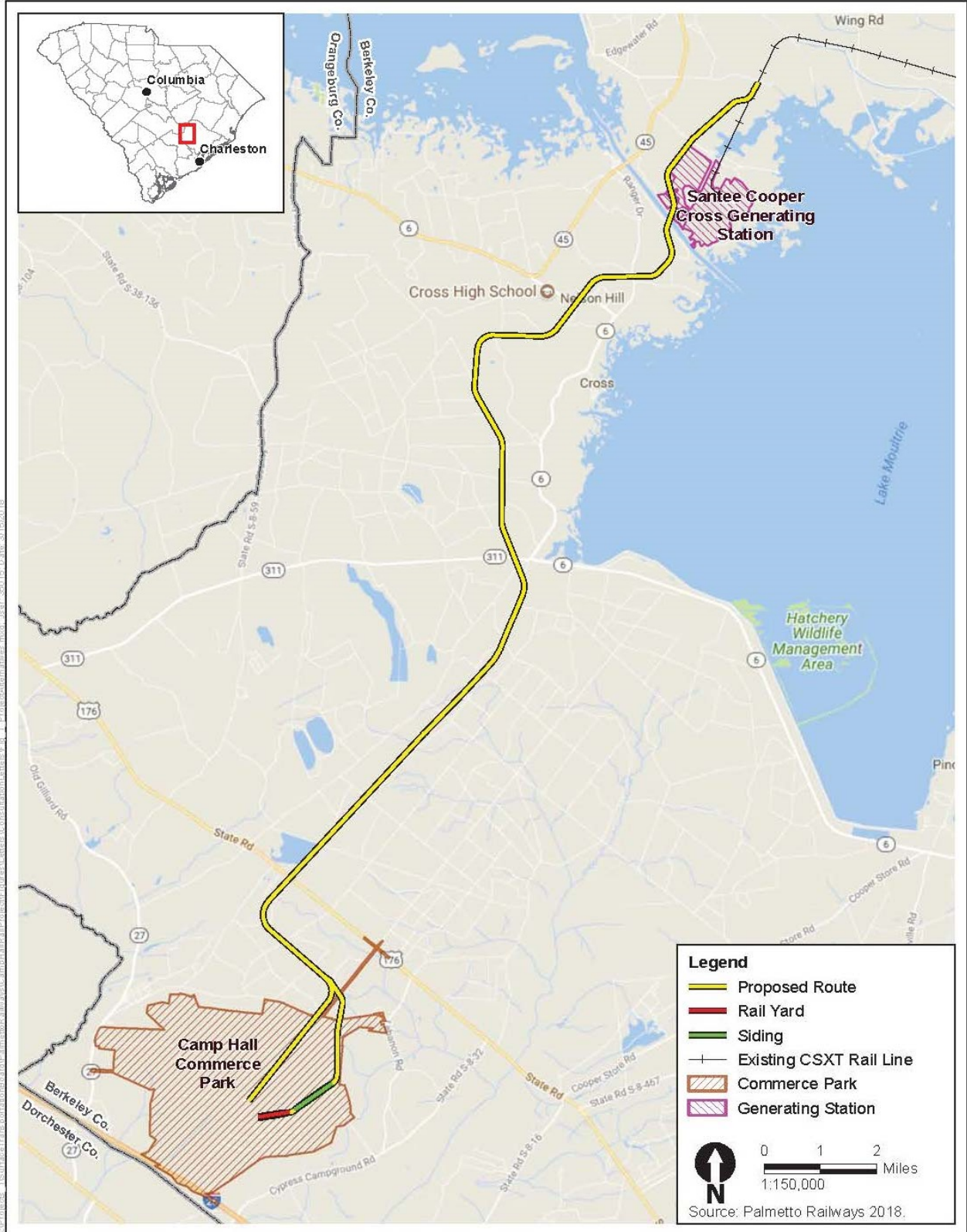
A handwritten signature in black ink that reads "Victoria Rutson". The signature is written in a cursive style with a large initial "V".

Victoria Rutson
Director
Office of Environmental Analysis

Attachments:

- A. Map of Proposed Route
- B. NHPA Section 106 Consultation Options Form

ATTACHMENT A: MAP OF PROPOSED ROUTE



K:\Projects - US\Source\Trans\coulter\palmetto\msh\ksh\ar\esri\mapserver\templates\consultation\lakes\fig_1_ProposedRoute.mxd, User: j30115, Date: 2/15/2018

**ATTACHMENT B: NATIONAL HISTORIC PRESERVATION ACT SECTION 106 CONSULTATION
OPTIONS FORM**

Wassamasaw Tribe of Varnertown Indians

Surface Transportation Board Docket No. FD 36095, Palmetto Railways – Construction and Operation
Exemption—in Berkeley County, South Carolina.

Project Name: Palmetto Railways Proposed Rail Line

Please check all the appropriate response(s) that apply from the list

- _____ We have no interests associated with Palmetto Railways’ proposed rail line and further consultation with our organization is not required.
- _____ We want to continue to receive project information by mail and participate in the public involvement process.
- _____ We have an interest in Palmetto’s proposed rail line and want to participate as a “Consulting Party” in the Section 106 of the NHPA process.
- _____ We have included comments regarding potential historic properties in the project area and/or potential impacts to historic properties on the back of this form or on additional sheets.

Name of Wassamasaw Tribe of Varnertown Indians designated contact for Section 106 Consultation for the Surface Transportation Board’s decision on whether to allow Palmetto Railways to construct and operate a new rail line in South Carolina:

Please print

Name: _____

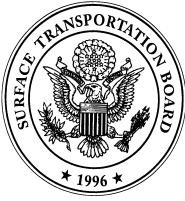
Phone: _____

E-mail: _____

Signed: _____

Date: _____

Please mail to: Diana Wood
FD No. 36095
Surface Transportation Board
c/o ICF
8300 Lee Highway
Fairfax, VA 22031



SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Office of Environmental Analysis

May 18, 2018

Wenonah Haire
Tribal Historic Preservation Officer
Catawba Indian Nation
1536 Tom Steven Road
Rock Hill, SC 29730

Re: Docket No. FD 36095, Palmetto Railways—Construction and Operation Exemption—In Berkeley County, South Carolina; Invitation to Section 106 Consultation

Dear Ms. Haire:

Thank you for your response to our September 8, 2017 letter initiating consultation under the National Environmental Policy Act (NEPA). In accordance with your request to consult under NEPA, this letter formally invites you to also consult under Section 106 of the National Historic Preservation Act (Section 106) regarding the above-referenced rail line construction project. We acknowledge your recommendation that additional archaeological surveys be completed in new project areas if the project footprint changes.

As you know, on August 3, 2017, Palmetto Railways (Palmetto or Applicant) filed a petition with the Surface Transportation Board (Board), pursuant to 49 U.S.C. § 10502, for authority to construct and operate a 22.7-mile new rail line in Berkeley County, South Carolina. The Board's Office of Environmental Analysis (OEA) and the United States Army Corps of Engineers, Charleston District (Corps) are conducting an environmental and historic preservation review of the proposed rail line construction project in compliance with the National Environmental Policy Act (NEPA) and related laws and regulations, including Section 106, and its implementing regulations at 36 C.F.R. Part 800.

This letter has two purposes:

- First, to learn whether the Catawba Indian Nation is interested in participating as a Section 106 Consulting Party. We have enclosed a Consultation Options Form (Attachment B) that we hope makes it easier for you to select the level of involvement that you are interested in. If we do not hear back from you, we will assume that you do not want to participate as a Section 106 Consulting Party.
- Second, to provide an opportunity for the Catawba Indian Nation to submit information or comments on either historic properties and/or potential effects to historic properties that may be located in the area and that should be afforded close attention in the environmental analysis.

Wenonah Haire, Catawba Indian Nation

May 18, 2018

Page 2

For your reference, Attachment A to this letter includes a map of the proposed route currently being considered. Additional information on this project is available on the project website at camphallrailnepa.com. Attachment B is the Consultations Options Form discussed above.

Diana Wood of my staff is leading OEA's Section 106 consultation for the project. You may contact her at 202-245-0302 or Diana.Wood@stb.gov with any questions. You may also contact David Bauer of ICF, OEA's independent third-party consultant, at David.Bauer@icf.com.

Sincerely,

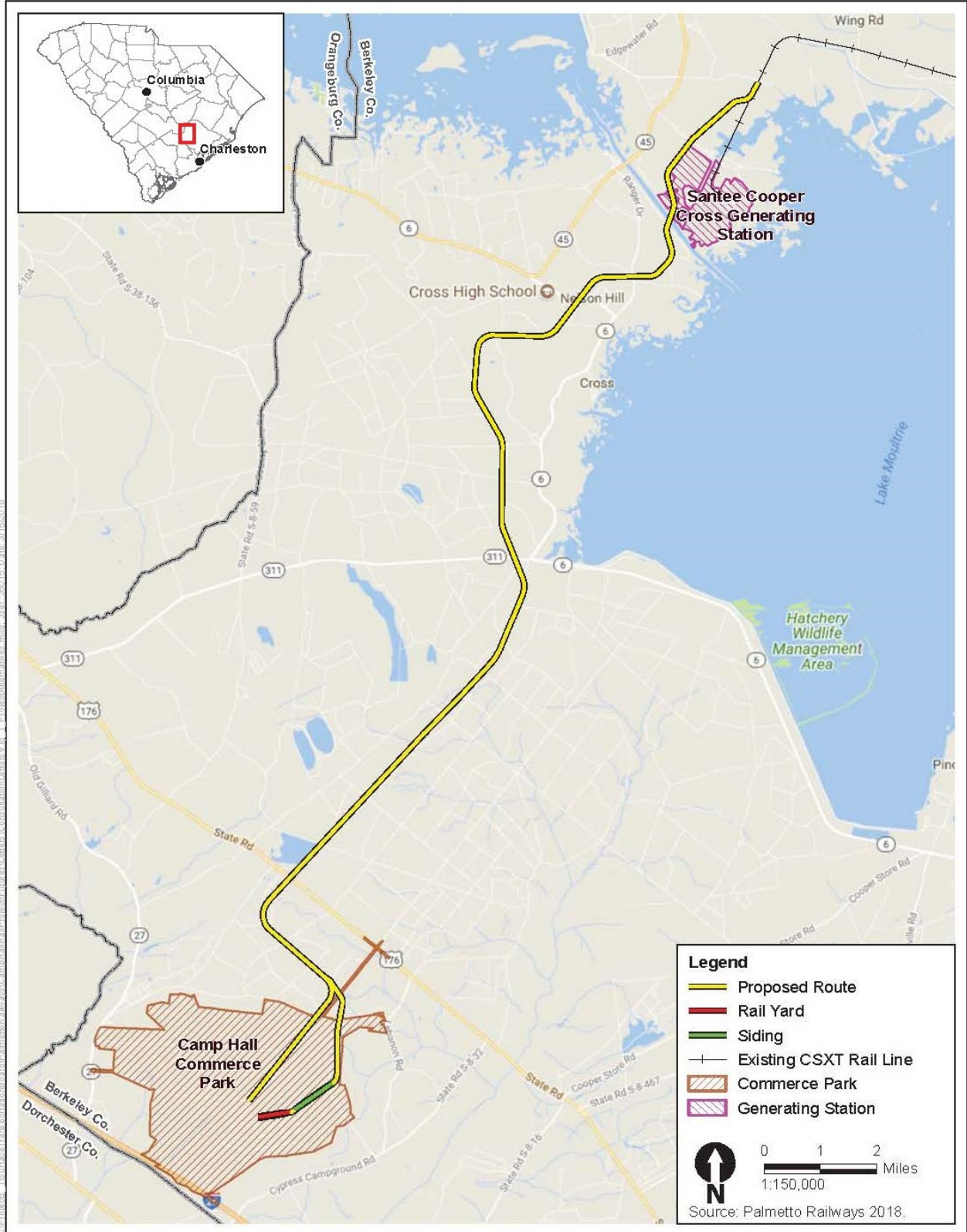
A handwritten signature in black ink that reads "Victoria Rutson". The signature is written in a cursive style with a large initial "V".

Victoria Rutson
Director
Office of Environmental Analysis

Attachments:

- A. Map of Proposed Route
- B. NHPA Section 106 Consultation Options Form

ATTACHMENT A: MAP OF PROPOSED ROUTE



**ATTACHMENT B: NATIONAL HISTORIC PRESERVATION ACT SECTION 106 CONSULTATION
OPTIONS FORM**

Catawba Indian Nation

Surface Transportation Board Docket No. FD 36095, Palmetto Railways – Construction and Operation
Exemption—in Berkeley County, South Carolina.

Project Name: Palmetto Railways Proposed Rail Line

Please check all the appropriate response(s) that apply from the list

- _____ We have no interests associated with Palmetto Railways’ proposed rail line and further consultation with our organization is not required.
- _____ We want to continue to receive project information by mail and participate in the public involvement process.
- _____ We have an interest in Palmetto’s proposed rail line and want to participate as a “Consulting Party” in the Section 106 of the NHPA process.
- _____ We have included comments regarding potential historic properties in the project area and/or potential impacts to historic properties on the back of this form or on additional sheets.

Name of Catawba Indian Nation designated contact for Section 106 Consultation for the Surface Transportation Board’s decision on whether to allow Palmetto Railways to construct and operate a new rail line in South Carolina:

Please print

Name: _____

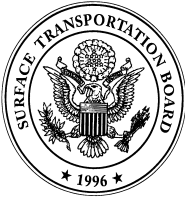
Phone: _____

E-mail: _____

Signed: _____

Date: _____

Please mail to: Diana Wood
FD No. 36095
Surface Transportation Board
c/o ICF
8300 Lee Highway
Fairfax, VA 22031



SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Office of Environmental Analysis

May 18, 2018

Corain Lowe-Zepeda
Tribal Historic Preservation Officer
Muscogee (Creek) Nation
P.O. Box 580
Okmulgee, OK 74447

Re: Docket No. FD 36095, Palmetto Railways—Construction and Operation Exemption—In Berkeley County, South Carolina; Invitation to Section 106 Consultation

Dear Ms. Lowe-Zepeda:

Thank you for your response to our September 8, 2017 letter initiating consultation under the National Environmental Policy Act (NEPA). In accordance with your request to be informed of project updates, this letter formally invites you to consult under Section 106 of the National Historic Preservation Act (Section 106) regarding the above-referenced rail line construction project.

As you know, on August 3, 2017, Palmetto Railways (Palmetto or Applicant) filed a petition with the Surface Transportation Board (Board), pursuant to 49 U.S.C. § 10502, for authority to construct and operate a 22.7-mile new rail line in Berkeley County, South Carolina. The Board's Office of Environmental Analysis (OEA) and the United States Army Corps of Engineers, Charleston District (Corps) are conducting an environmental and historic preservation review of the proposed rail line construction project in compliance with the National Environmental Policy Act (NEPA) and related laws and regulations, including Section 106, and its implementing regulations at 36 C.F.R. Part 800.

This letter has two purposes:

- First, to learn whether the Muscogee (Creek) Nation is interested in participating as a Section 106 Consulting Party. We have enclosed a Consultation Options Form (Attachment B) that we hope makes it easier for you to select the level of involvement that you are interested in. If we do not hear back from you, we will assume that you do not want to participate as a Section 106 Consulting Party.
- Second, to provide an opportunity for the Muscogee (Creek) Nation to submit information or comments on either historic properties and/or potential effects to historic properties that may be located in the area and that should be afforded close attention in the environmental analysis.

For your reference, Attachment A to this letter includes a map of the proposed route currently being considered. Additional information on this project is available on the project website at camphallrailnepa.com. Attachment B is the Consultations Options Form discussed above.

Corain Lowe-Zepeda, Muscogee (Creek) Nation

May 18, 2018

Page 2

Diana Wood of my staff is leading OEA's Section 106 consultation for the project. You may contact her at 202-245-0302 or Diana.Wood@stb.gov with any questions. You may also contact David Bauer of ICF, OEA's independent third-party consultant, at David.Bauer@icf.com.

Sincerely,

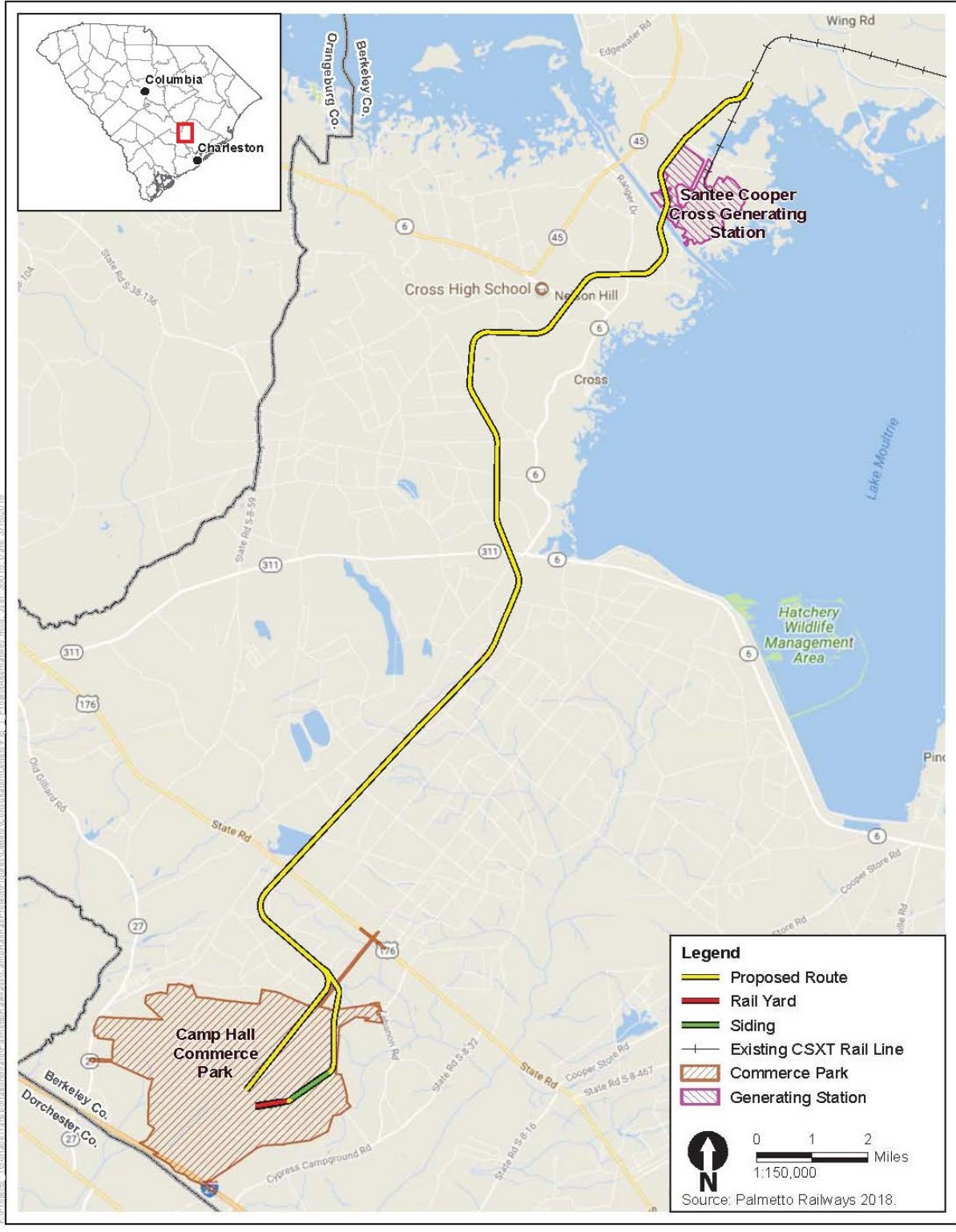
A handwritten signature in black ink, appearing to read "Victoria Rutson". The signature is written in a cursive style with a large initial "V".

Victoria Rutson
Director
Office of Environmental Analysis

Attachments:

- A. Map of Proposed Route
- B. NHPA Section 106 Consultation Options Form

ATTACHMENT A: MAP OF PROPOSED ROUTE



**ATTACHMENT B: NATIONAL HISTORIC PRESERVATION ACT SECTION 106 CONSULTATION
OPTIONS FORM**

Muscogee (Creek) Nation

Surface Transportation Board Docket No. FD 36095, Palmetto Railways – Construction and Operation
Exemption—in Berkeley County, South Carolina.

Project Name: Palmetto Railways Proposed Rail Line

Please check all the appropriate response(s) that apply from the list

- _____ We have no interests associated with Palmetto Railways’ proposed rail line and further consultation with our organization is not required.
- _____ We want to continue to receive project information by mail and participate in the public involvement process.
- _____ We have an interest in Palmetto’s proposed rail line and want to participate as a “Consulting Party” in the Section 106 of the NHPA process.
- _____ We have included comments regarding potential historic properties in the project area and/or potential impacts to historic properties on the back of this form or on additional sheets.

Name of Muscogee (Creek) Nation designated contact for Section 106 Consultation for the Surface Transportation Board’s decision on whether to allow Palmetto Railways to construct and operate a new rail line in South Carolina:

Please print

Name: _____

Phone: _____

E-mail: _____

Signed: _____

Date: _____

Please mail to: Diana Wood
FD No. 36095
Surface Transportation Board
c/o ICF
8300 Lee Highway
Fairfax, VA 22031