DEPARTMENT OF THE ARMY
NEW ORLEANS DISTRICT, CORPS OF ENGINEERS
P.O. BOX 60267
NEW ORLEANS, LOUISIANA 70160-0267

REPLY TO
ATTENTION OF:

October 31, 2007

Planning, Programs, and
Project Management Division
Environmental Planning
and Compliance Branch
Attn: CEMVN-PM-RN

Mr. Beasley Denson, Chief
Mississippi Band of Choctaw Indians
P.O. Box 6257
Choctaw, MS 39350

RE: Request to Continue Consultation Under Section 106 of the National Historic Preservation Act for the Lake Ponchartrain and Vicinity Hurricane Protection Project, Individual Environmental Report #1, St. Charles Parish, Louisiana.

Dear Chief Denson:

The U.S. Army Corps of Engineers, Mississippi Valley Division, New Orleans District (CEMVN), is expanding the Area of Potential Effects (APE) for the project area currently being studied under Individual Environmental Report #1, Lake Ponchartrain and Vicinity Hurricane Protection Project, St. Charles Parish, Louisiana. This proposed expansion is located on the eastern end of the IER #1 project area and includes an additional 3000 feet of earthen levee alignment ending at the Jefferson-St. Charles Parish boundary.

In our letter to your office dated June 26, 2007 and emailed to Mr. Ken Carleton of your staff, the District provided project documentation to support a "no historic properties affected" finding for the original APE. Mr. Carleton concurred with our opinion in an email dated August 23, 2007. Copies of these correspondences are attached herein.

Pursuant to Section 106 of the National Historic Preservation Act (NHPA), the District, in consultation with the State Historic Preservation Officer (SHPO) and Indian Tribes, will determine if the expanded area of potential effects (APE) established for the proposed IER #1 project contains historic properties. The expanded APE, as proposed, follows approximately 3000 feet of existing earthen levee extending east from the Illinois Central Railroad to the existing floodwall at the Jefferson-St. Charles Parish boundary line. The APE extends 1000 feet on the flooded (lake) side and 500 feet on the protected (river) side from the center line of the levee. Proposed construction activities in the APE could include borrow excavation, temporary road placement, temporary staging area development, floodwall and levee construction and

repair, and fronting protection modifications to drainage structures. Maps showing the expanded APE are provided in the attached supplemental management summary.

The District conducted an assessment of the expanded APE for IER #1 in October, 2007. A copy of the supplemental management summary of this investigation is attached herein (Lackowicz 2007). In this supplemental study, Lackowicz utilized the cultural resources assessment for the original APE that was prepared in June, 2007 (Lackowicz et al. 2007) and applied those findings to assess project impacts on known historic properties and to identify high potential areas for cultural resources in the project's expanded APE. Visual reconnaissance of the expanded APE was not conducted due to site access and safety issues.

Lackowicz determined that the expanded APE exhibits a very low potential for cultural resources. There are no known archaeological sites recorded in this area. Frequently flooded and poorly drained soils are present in the marshy area located on the lake side of the levee. Previous railroad, levee, and airport runway construction has severely impacted soil deposits on the river side of the levee. No areas of high potential for cultural resources were identified in the expanded APE and no further cultural resources investigations were recommended.

Based on a review of the information summarized above, it is our view that the proposed project activities in the expanded APE will not impact any significant cultural resources. However, in the event that cultural resources are encountered during construction activities, work will be halted and your office will be contacted for further consultation. Any resources encountered will be recorded and documented, and state archaeological site forms will be provided.

Please review the enclosed project documentation and provide this office with your opinion regarding our "no historic properties affected" finding within 30 days of receipt of this letter. If you have any questions and/or concerns, please contact Mr. Michael Swanda at (504) 862-2036.

Sincerely,

Elizabeth Wiggins
Chief, Environmental Planning
and Compliance Branch

Enclosure

CF: Dwin-Vaughn, Advisory Council on Historic Preservation
Rivet, State Historic Preservation Office
Carleton, Mississippi Band of Choctaw Indians

References Cited

Lackowicz, Robert

2007 *Supplemental Management Summary: Individual Environmental Report Area 1 (IER #1), St. Charles Parish, Louisiana.* R. Christopher Goodwin & Associates, Inc., New Orleans. Prepared for the U.S. Army Corps of Engineers, New Orleans District under Contract W91P8-07-D-0042, Delivery Order 002.

Lackowicz, Robert, Anne Titelbaum and Nathanael Heller

2007 *Management Summary: Phase 1A Cultural Resources Records Review and Field Reconnaissance Performed for Lake Ponchartrain and Vicinity Project, Individual Environmental Report Area 1 (IER#!): La Branch Wetlands Levee, St. Charles Parish, Louisiana.* R. Christopher Goodwin & Associates, Inc., New Orleans. Prepared for the U.S. Army Corps of Engineers, New Orleans District under Contract W91P8-07-D-0042, Delivery Order 002.

DEPARTMENT OF THE ARMY
NEW ORLEANS DISTRICT, CORPS OF ENGINEERS
P.O. BOX 60267
NEW ORLEANS, LOUISIANA 70160-0267

REPLY TO
ATTENTION OF:

June 26, 2007

Planning, Programs, and
Project Management Division
Environmental Planning
and Compliance Branch
Attn: CEMVN-PM-RN

Mr. Phillip Martin, Chief
Mississippi Band of Choctaw Indians
P.O. Box 6257
Choctaw, MS 39350

RE: Request to Continue Consultation Under Section 106 of the National Historic Preservation Act for the Lake Ponchartrain and Vicinity Hurricane Protection Project, Individual Environmental Report #1, St. Charles Parish, Louisiana.

Dear Chief Martin:

The U.S. Army Corps of Engineers, Mississippi Valley Division, New Orleans District (CEMVN), is planning to construct flood control improvements within a portion of the 120 mile long Lake Ponchartrain and Vicinity Hurricane Protection Project area. These proposed improvements are located along a 9.9 mile section of earthen levee and generally extends east along Airline Highway (U.S. Hwy. 61) from the Bonnet Carre' Spillway East Guide Levee in St. Charles Parish to the Jefferson-St. Charles Parish boundary.

This portion of the levee system is currently being studied under the emergency alternative arrangements approved by the Council on Environmental Quality for the Lake Ponchartrain and Vicinity Hurricane Protection Project, Individual Environmental Report (IER) #1. Additional information of the Emergency Alternative Arrangements and IER's can be found on the District's web page (HTTP://www.MVN.USACE.Army.Mil) under the Hurricane Recovery Links, Environmental Processes & NEPA Compliance.

In our letter to the Louisiana State Historic Preservation Officer (SHPO) dated April 9, 2007 and provided to your office by email, the District initiated Section 106 project consultation, provided a general project overview, maps of the Lake Ponchartrain and Vicinity Hurricane Protection Project area and IER locations, a discussion of the emergency alternative arrangements approved for NEPA project review, the results of separate preliminary meetings

held with Ken Carleton of your staff, other tribal governments and the SHPO, draft cultural resources investigation scopes of work, and notification of our intent to follow standard Section 106 consultation procedures until the execution of a Programmatic Agreement. We anticipate execution of the Programmatic Agreement in August, 2007. A copy of our April 9, 2007 letter is attached herein.

Pursuant to Section 106 of the National Historic Preservation Act (NHPA), the District, in consultation with the State Historic Preservation Officer (SHPO) and Indian Tribes, will determine if the area of potential effects (APE) established for the proposed IER #1 project contains historic properties. The APE as proposed follows approximately 9.5 miles of existing earthen levee extending east from the Bonnet Carre' Spillway East Guide Levee in St. Charles Parish to the Jefferson-St. Charles boundary line. The APE extends 1000 feet on the flooded (lake) side and 500 feet on the protected (river) side from the center line of the levee. Proposed construction activities in the APE include borrow excavation, temporary road placement, temporary staging area development, floodwall and levee construction and repair, and fronting protection modifications to five existing drainage structures.

Several cultural resources investigations have been conducted within the project area and its vicinity. Three of these studies are particularly relevant to the current project area. In the first study, conducted by Coastal Environment, Inc., researchers utilized background research, historic map analysis, and Phase 1 fieldwork to investigate five sections of levee alignment right of way that is in the IER #1 APE (Hahn and Pearson 1988). The study identified three archaeological sites, 16SC065, 16SC066, and 16SC067 within, and adjacent to, the project APE. All three sites are remnants of nineteenth to twentieth century drainage machines that were used to empty water from adjacent plantations. These sites were evaluated by the researchers and found ineligible for listing on the National Register of Historic Places. On the western end of the APE, crewmembers excavated a series of subsurface cores along the natural levee on both banks of Bayou Trepagnier with negative results.

In 2001, T.R. Kidder conducted a visual survey of Bayou Trepagnier and identified one archaeological site within a spoil bank just north of the area cored by Hahn and Pearson (1988). Site 16SC080 contains a significant amount of *Rangia* shell and prehistoric ceramics. This site is located north of the APE.

In accordance with the scope of work provided as an attachment to our April 9, 2007 letter, the District conducted a Phase 1A cultural resources records review and field reconnaissance of IER #1 in May, 2007 (Lackowicz 2007). A copy of the management summary of this investigation is attached herein. In this study, researchers utilized background research, cultural resources investigations review, historic map analysis, topographic analysis, and reconnaissance level field data to assess project impacts on known historic properties and to identify high potential areas for cultural resources in the project's APE.

Researchers confirmed the locations of previously recorded sites 16SC065, 16SC067, and 16SC080. Site 16SC066 could not be relocated and is thought to be destroyed by possible dismantling during canal dredging activities. Researchers determined that a significant amount of the APE was disturbed by previous borrow and levee construction. Raised landforms north of Highway 61 were identified as extensive sanitary landfills. No areas of high potential for cultural resources were identified in the project APE and no further cultural resources investigations were recommended.

Based on a review of the information summarized above, it is our view that the proposed project will not impact any significant cultural resources. The historic field drainage structure at site 16SC065 is located outside, or on the very edge, of the APE. Hahn and Pearson (1988) and Lackowicz (2007) both evaluated site 16SC065 and found it was not eligible for listing in the National Register of Historic Places. Field investigations confirmed that Site 16SC067 is actually located well outside of the APE and will not be impacted by proposed project activities. Site 16SC066 could not be relocated and is thought to be destroyed. Although considered potentially eligible for listing on the National Register of Historic Places (Kidder 2001), Site 16SC080 is located north of the APE and will not be impacted by proposed construction. Site locations and APE boundaries are delineated on maps found in the attached management summary.

Researchers also evaluated the potential for undiscovered historic properties in the APE (Lackowicz 2007). Previous archaeological surveys, natural and cultural settings data, soils data, and reconnaissance field data were analyzed. This analysis indicates that low archaeological potential exists throughout the APE. A significant amount of the APE is disturbed by previous borrow and levee construction. Soil data shows that the raised landforms adjacent to Highway 61 are composed of sanitary landfill. The potential for cultural resources in the flat, low-lying, often flooded bayou/swamp areas through out the APE is considered extremely minimal. The subsided natural levee area located in the western portion of the APE along Bayou Trepagnier was investigated by Hahn and Pearson (1988) and no cultural resources were identified. No additional cultural resources investigations are recommended. However, in the event that cultural resources are encountered during construction activities, work will be halted and your office will be contacted for further consultation. Any resources encountered will be recorded and documented, and state archaeological site forms will be provided.

Please review the enclosed project documentation and provide this office with your opinion regarding our "no historic properties affected" finding within 30 days of receipt of this letter. If you have any questions and/or concerns, please contact Mr. Michael Swanda at (504) 862-2036.

Sincerely,

Elizabeth Wiggins
Chief, Environmental Planning
and Compliance Branch

Enclosure

CF: Mississippi Band of Choctaw Indians, Carleton
SHPO, Rivet

References Cited

Hahn, Thurston and Charles E. Pearson
1988 *A Cultural Resources Survey of the St. Charles Parish Hurricane Protection Levee, St. Charles Parish, Louisiana.* Report on File, Louisiana Division of Archaeology, Baton Rouge.

Kidder, Tristram R.
2001 *Preliminary Report on an Archaeological Reconnaissance of Bayou Trepagnier, St. Charles Parish, Louisiana.* Report on File, Louisiana Division of Archaeology, Baton Rouge.

Lackowicz, Robert
2007 *Management Summary: Phase 1A Cultural Resources Records Review and Field Reconnaissance Performed for Lake Ponchartrain and Vicinity Project, ndividual Environmental Report Area 1 (IER#1): La Branch Wetlands Levee, St. Chrles Parish, Louisiana.* R. Christopher Goodwin & Associates, Inc., New Orleans, Louisiana. Report on File, New Orleans District Corps of Engineers, New Orleans.

Swanda, Michael L MVN

From: Carleton, Ken [KCarleton@choctaw.org]
Sent: Thursday, August 23, 2007 10:52 AM
To: Swanda, Michael L MVN
Subject: RE: Request to Continue Consultation, IER #1, Lake Ponchartrain & Vicinity Hurricane Protection Project

Elizabeth Wiggins

Chief, Environmental Planning and Compliance Branch

New Orleans District, USACE

Dear Ms Wiggins,

I have reviewed the information provided for the IER #1, Lake Ponchartrain & Vicinity Hurricane Protection Project. We concur with your finding of No Historic Properties Effected for this project.

There, however, always remains the possibility that there are unknown historic properties, especially archaeological sites, present within the construction area. In the event that any archaeological material related to American Indians is encountered in the course of the construction, all work in the vicinity of the discovery must stop immediately. My office should be contacted as soon as possible for further consultation about the discovery and the project.

Kenneth H. Carleton

Tribal Historic Preservation Officer/Archaeologist

Mississippi Band of Choctaw Indians

P.O. Box 6257 or 101 Industrial Road

Choctaw, MS 39350

601.650.7316

FAX: 601.650.7454

-----Original Message-----
From: Swanda, Michael L MVN [mailto:Michael.L.Swanda@mvn02.usace.army.mil]
Sent: Tuesday, June 26, 2007 3:21 PM
To: Carleton, Ken
Subject: Request to Continue Consultation, IER #1, Lake Ponchartrain & Vicinity Hurricane Protection Project

<<IER #1 Management Summary.pdf>> <<June 26, 2007 Mississippi Band of Choctaw Indians, Letter Request to Continue.pdf>>