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

REPLY TO
ATTENTION OF:

March 27, 2009

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

Mitchell Cypress, Chairman
Seminole Tribe of Florida
6300 Stirling Rd.
Hollywood, FL 33024

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

Dear Chairman Cypress:

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 Pontchartrain 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 consists of a new 2400 foot long access road (see enclosed maps).

The CEMVN has determined that this undertaking has the potential to affect historic properties as per 36 CFR 800.3(a). Therefore, the CEMVN requests that the Seminole Tribe of Florida review and comment on this project. A copy of this letter with supporting documentation is being forwarded to Mr. Willard S. Steele, Tribal Historic Preservation Officer and Ms. Dawn Hutchins, Compliance Review Officer, Seminole Tribe of Florida.

In our letter to the Louisiana State Historic Preservation Office (SHPO) dated June 26, 2007, the CEMVN evaluated project documentation and provided a "no historic properties affected" finding for the original APE. The SHPO concurred with our opinion in a letter dated August 3, 2007. In our second letter to the SHPO dated October 31, 2007, the CEMVN evaluated an expanded APE that included 3000 linear feet of additional existing levee alignment. The SHPO concurred with our second "no historic properties affected" finding in a letter dated December 13, 2007.

Pursuant to Section 106 of the National Historic Preservation Act (NHPA), the CEMVN, 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, is a new access road that extends from an existing industrial park to the Walker Road Drainage Structure. The new road measures approximately 2400 feet long by 54 feet wide for a total of 2.75 acres. Proposed construction activities in the expanded APE will include the placement of sand fill on geotextile fabric and perpendicular drainage pipes.

The CEMVN reviewed the cultural resources assessment of the original APE for IER #1 prepared in June, 2007 (Lackowicz et al. 2007) and for the first expanded APE prepared in October, 2007 (Lackowicz 2007). No areas exhibiting a high potential for cultural resources were identified in the portion of the new access road that is located in the original study area, which includes a 500 foot wide corridor on the protected side of the levee center line. The CEMVN recently contacted Mr. Nathanael Heller, who conducted the fieldwork for the original studies, and asked him to provide an opinion on the potential for cultural resources in the expanded APE roadway. Field reconnaissance of the expanded APE roadway was not conducted due to site access and standing water safety issues.

Heller determined that the expanded APE roadway exhibits a very low potential for cultural resources and did not recommend a cultural resources survey. The nearest previously recorded archaeological sites (16SC87 and 16JE219) are located approximately 0.9 miles from the southern end of the roadway and no previously recorded historic standing structures are identified within one mile. Soils mapped within the proposed road right of way consist of developed urban land at the southern end of the road, Udorthents (sanitary landfill deposits) in the central portion of the roadway, and partially inundated Barbary muck at the northern end.

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,

Joan Exnicios

Joan Exnicios
Acting Chief, Environmental Planning
and Compliance Branch

Enclosures

CF: Willard S. Steele, Tribal Historic Preservation Officer
Dawn Hutchins, Compliance Review Supervisor

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 Pontchartrain 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.