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.

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

REPLY TO
ATTENTION OF

April 9, 2007

Pam Breaux
State Historic Preservation Officer
Dept. of Culture, Recreation & Tourism
Division of Historic Preservation
1051 N. Third Street
Baton Rouge, LA 70804

Re: Request to Initiate Consultation Under Section 106 of the National Historic Preservation Act for the Lake Ponchartrain and Vicinity (LPV), and the West Bank and Vicinity (WBV) Hurricane Protection Projects, St. Charles, Jefferson, Orleans, Plaquemines, and St. Bernard Parishes, Louisiana.

Dear Ms. Breaux:

The U.S. Army Corps of Engineers, New Orleans District (USACE), is proposing to construct improvements along the existing Lake Ponchartrain and Vicinity (LPV) and the West Bank and Vicinity Hurricane Protection Projects located in St. Charles, Jefferson, Orleans, Plaquemines, and St. Bernard Parishes, Louisiana. This proposed activity has the potential to cause effects on historic properties.

In response to the need for accelerated schedules, emergency alternative arrangements *have been approved in order to expedite project review under the National Environmental Policy* Act (NEPA). Under these alternative arrangements, twenty-one sub-projects have been initially identified within the LPV and WBV project areas. Each sub-project will be studied and reviewed separately as an Interim Environmental Report (IER). Additional information on the Emergency Alternative Arrangements and individual IER's can be found on the District's web page (HTTP://www.MVN.USACE.Army.Mil) under the Hurricane Recovery Links section, Environmental Processes & NEPA Compliance. Project fact sheets and a map showing IER locations are attached herein.

The Advisory Council on Historic Preservation (ACHP) has requested the New Orleans District to execute a programmatic agreement that will establish Section 106 procedures under the alternative arrangements for the LPV and WBV projects. USACE staff recently held meetings with Duke Rivet, Louisiana State Historic Preservation Office; Kimberly Walden, Chitimacha Tribe of Louisiana; and Kenneth Carleton, Mississippi Band of the Choctaw at their prospective offices and briefed them on project plans, NEPA alternative arrangements, the programmatic agreement, and proposed cultural resources investigations. It was agreed that management summaries prepared in accordance with SHPO standards would be acceptable for

the initial review of cultural resources investigations and for providing comments on USACE determination of effects on historic properties. Draft and final reports incorporating all associated IER cultural resources investigations will be prepared after the IER investigations are complete.

During development of the programmatic agreement and until the programmatic agreement is executed, USACE is initiating standard Section 106 consultation procedures for the LPV and WBV projects. In order to determine if the area of potential effects (APE) established for this federal undertaking contains historic properties, USACE has prepared three draft scopes of work to conduct initial cultural resources investigations in seventeen IER's. These scopes of work are enclosed for your review and comment. Historic structure surveys and assessments will be conducted under separate scopes of work.

Thank you very much for your consideration in this matter. Please contact Mr. Michael Swanda at (504) 862-2036 if you have any questions or require further information.

Sincerely,

for Elizabeth Wiggins
Chief, Environmental Planning
And Compliance Branch

Enclosures

CF: Mississippi Band of the Choctaw, Carleton
Chitimacha Tribe of Louisiana, Walden
SHPO, Rivet
ACHP, Dwin-Vaughn
ACHP, Eddins
ACHP, Klima