

Interagency and Tribal Correspondence

Preliminary Federal Consultation



SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Office of Environmental Analysis

September 8, 2017

Federal Highway Administration
Emily Lawton
Division Administrator
1835 Assembly St
Ste 1270
Columbia, SC 29201

RE: STB Finance Docket No. 36095, Palmetto Railways—Construction and Operation Exemption—In Berkeley County, South Carolina; Preliminary Consultation

Dear Ms. Lawton:

On August 3, 2017 the 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 Surface Transportation Board's (Board) Office of Environmental Analysis (OEA) and the United States Army Corps of Engineers (Corps), Charleston District, are beginning the environmental review of the proposed rail line construction project in compliance with the National Environmental Policy Act and related laws and regulations.

The purpose of this letter is to advise you of the proposed rail line project, request information from your agency on the resources under your jurisdiction that could be affected by the proposed project, and identify permits and approvals that could be required of the Applicant.

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The proposed rail line would be a short-line rail track that begins at a new connection to the A-Line of CSX Transportation (CSXT) (through the CSXT Cross Subdivision connection), and ends within the Camp Hall Commerce Park, an industrial park currently under development in Ridgeville and near Interstate 26. The connection to CSXT would occur on the Santee Cooper property adjacent to its Cross Generating Station, and would cross the Diversion Canal between Lake Marion and Lake Moultrie, running south-southwest. South of the Diversion Canal, the right-of-way traverses the unincorporated rural community of Cross. Beyond the Cross

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The proposed project is intended to bring rail service to the industrial park, to support the area's infrastructure needs and to alleviate highway congestion involving large commercial trucks in the area.

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OEA and the Corps will work as joint-lead agencies to evaluate the potential environmental effects of the proposed project, including any reasonable and feasible alternatives to the proposed route 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 C.F.R. § 1105, the Corps' permitting authority under Section 404(b)(1) of the Clean Water Act (40 CFR Part 230), and other applicable federal, and state laws.

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Request for Comments

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Please send your written comments to Diana Wood, OEA's Project Manager for the environmental analysis, by email at Diana.Wood@stb.gov, or by mail to:

Ms. Diana Wood
Surface Transportation Board
Docket No. FD 36095
c/o ICF
9300 Lee Highway
Fairfax, VA 22031

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Sincerely,

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Victoria Rutson
Director
Office of Environmental Analysis

Enclosures:

Figure A-Proposed Route Map

Figure B-Palmetto Railways Alternatives Analysis Map

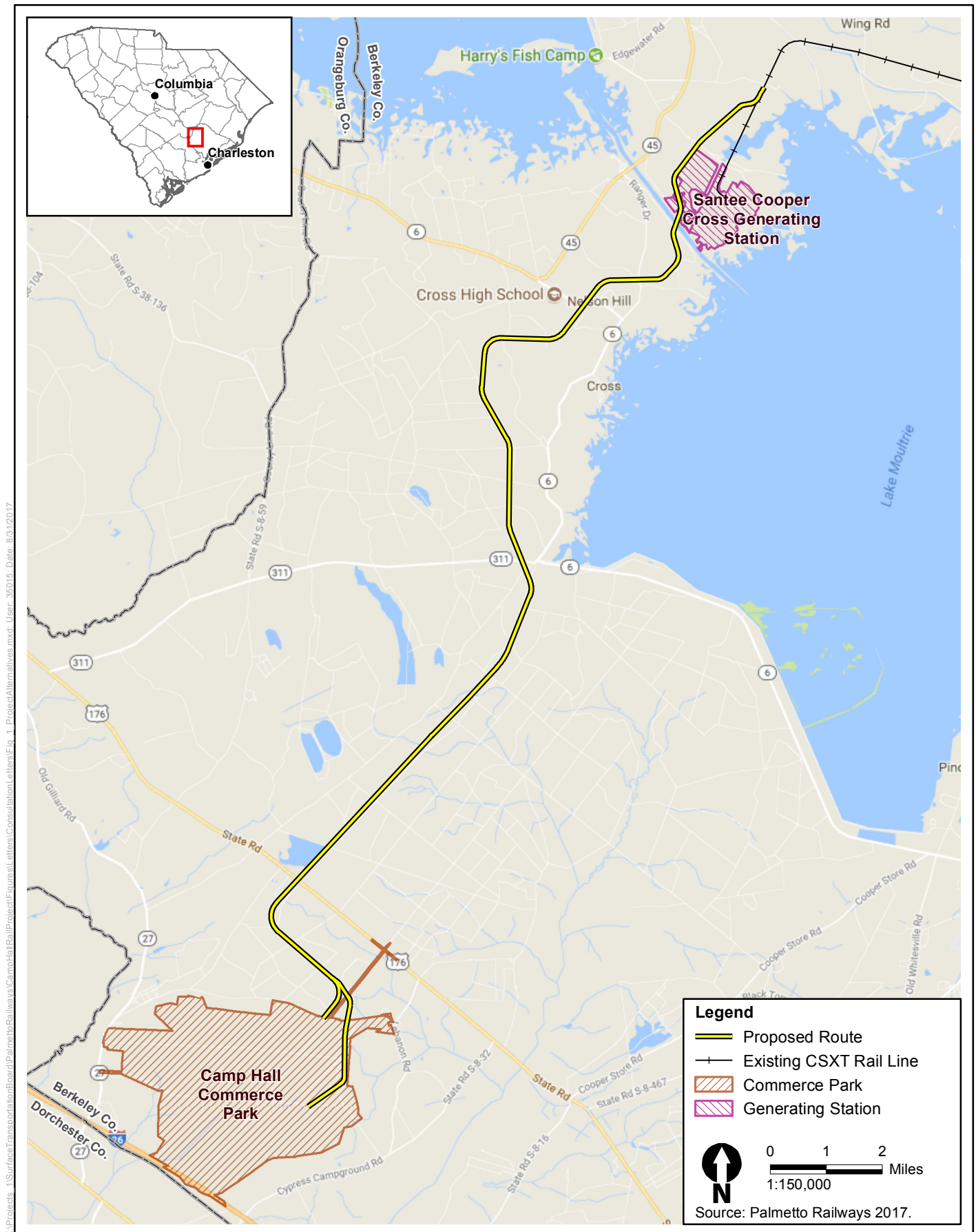


Figure A
Palmetto Railways Proposed Route



Figure B
Palmetto Railways Alternatives Analysis Map



SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Office of Environmental Analysis

September 8, 2017

Federal Railroad Administration
John Winkle
61 Forsyth St SW
Ste 16T20
Atlanta, GA 30303

RE: STB Finance Docket No. 36095, Palmetto Railways—Construction and Operation Exemption—In Berkeley County, South Carolina; Preliminary Consultation

Dear Mr. Winkle:

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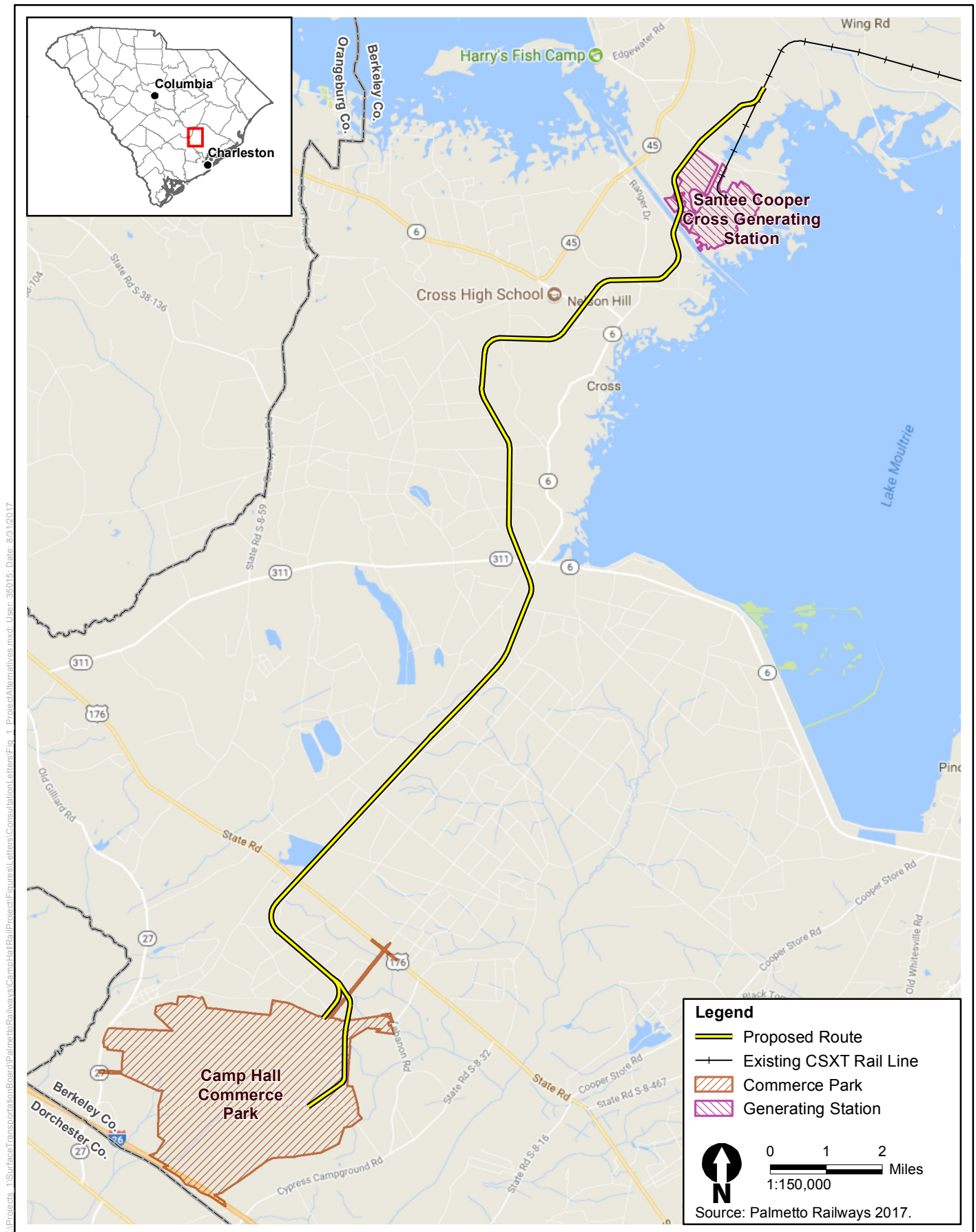


Figure A
Palmetto Railways Proposed Route





SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Office of Environmental Analysis

September 8, 2017

Federal Railroad Administration
David Velenstein
Chief, Environment and Systems Planning Division
1200 New Jersey Avenue SE
Washington, DC 20590

RE: STB Finance Docket No. 36095, Palmetto Railways—Construction and Operation Exemption—In Berkeley County, South Carolina; Preliminary Consultation

Dear Mr. Velenstein:

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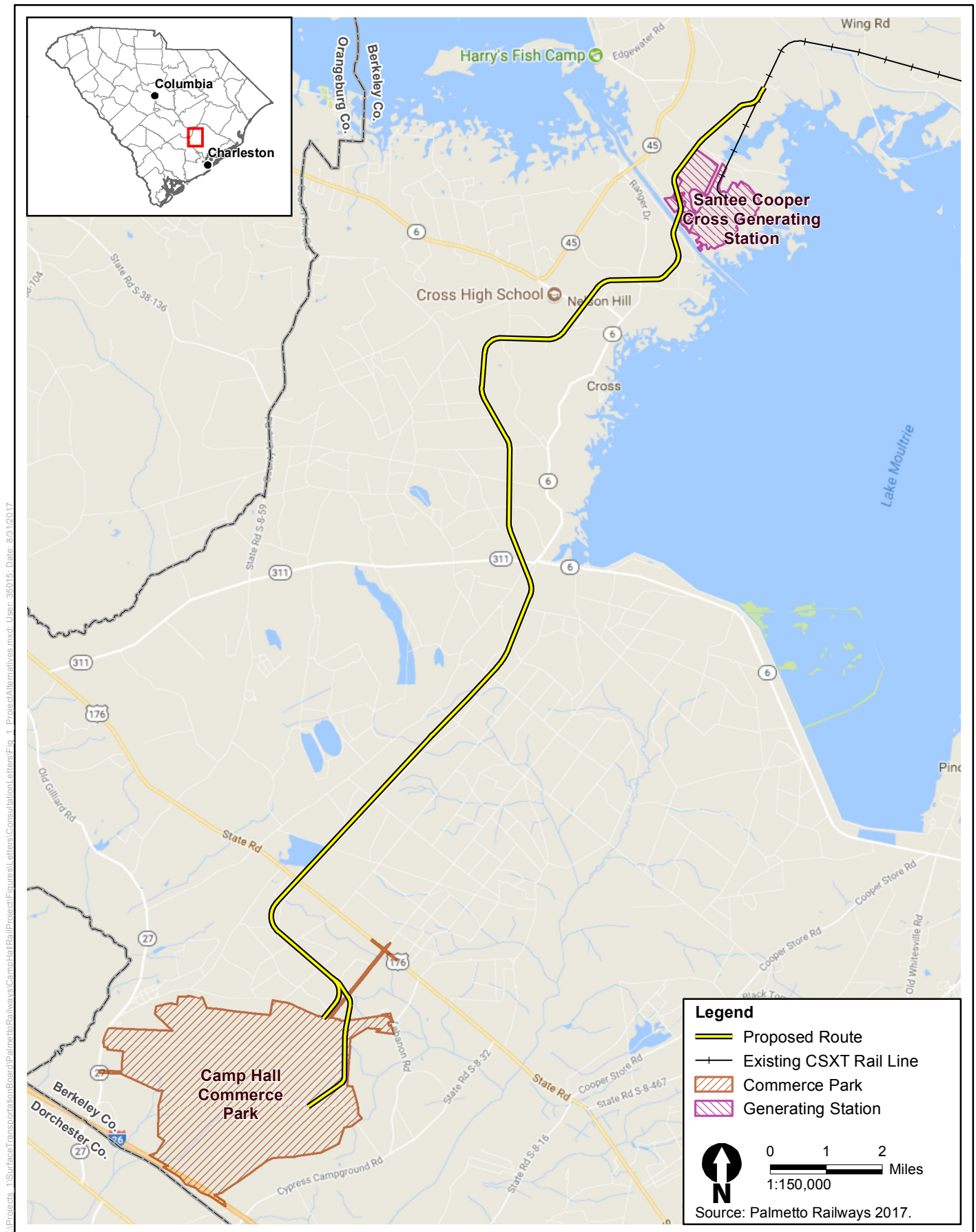


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SURFACE TRANSPORTATION BOARD
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Office of Environmental Analysis

September 8, 2017

NOAA National Marine Fisheries Services
Keith Hanson
Environmental Protection Specialist
219 Ft. Johnson Rd
Charleston, SC 29412

RE: STB Finance Docket No. 36095, Palmetto Railways—Construction and Operation Exemption—In Berkeley County, South Carolina; Preliminary Consultation

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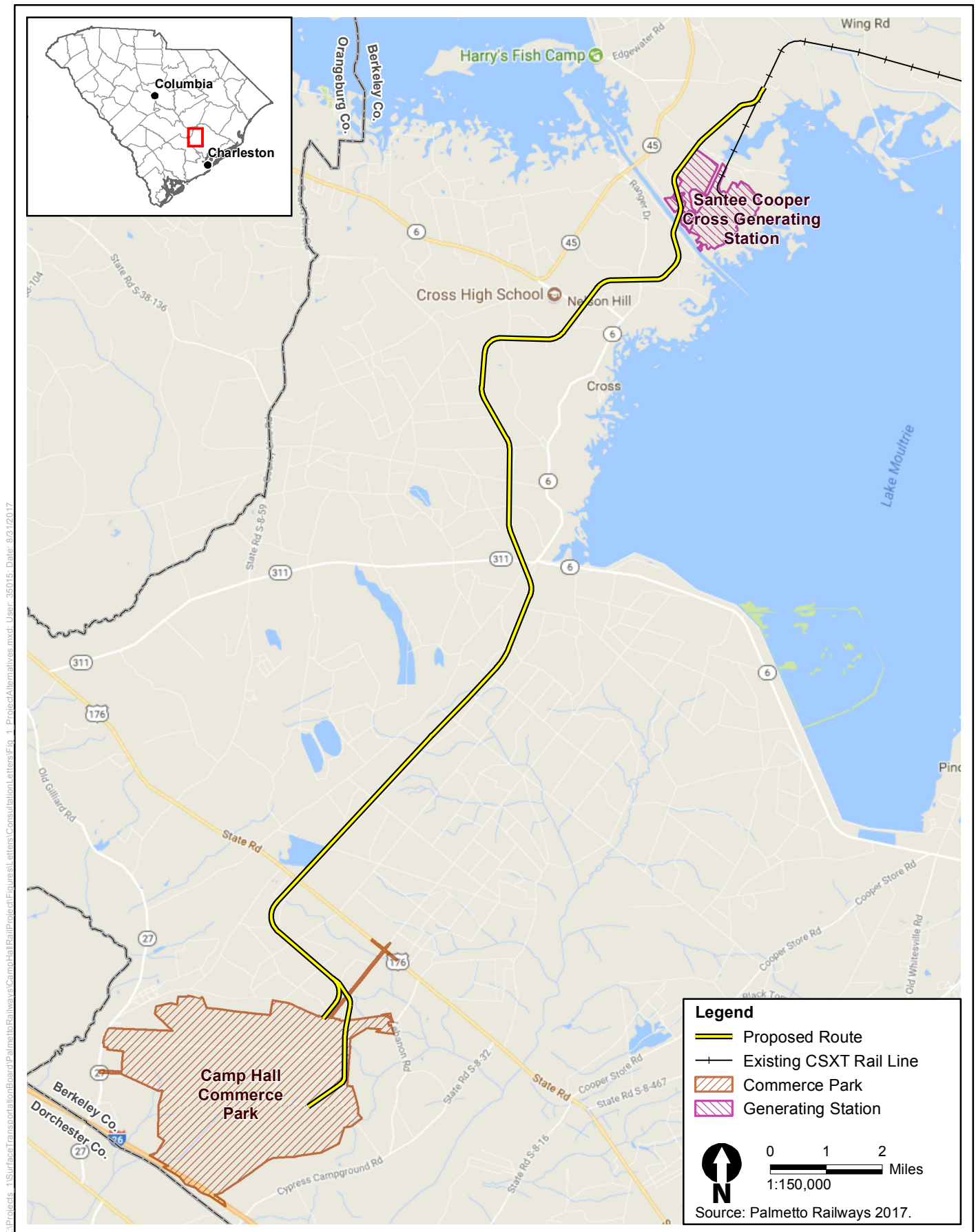


Figure A
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Figure B
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SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Office of Environmental Analysis

September 8, 2017

South Atlantic Fishery Management Council
Kim Iverson
Public Information Officer
4055 Faber Place Dr
North Charleston, SC 29405

RE: STB Finance Docket No. 36095, Palmetto Railways—Construction and Operation Exemption—In Berkeley County, South Carolina; Preliminary Consultation

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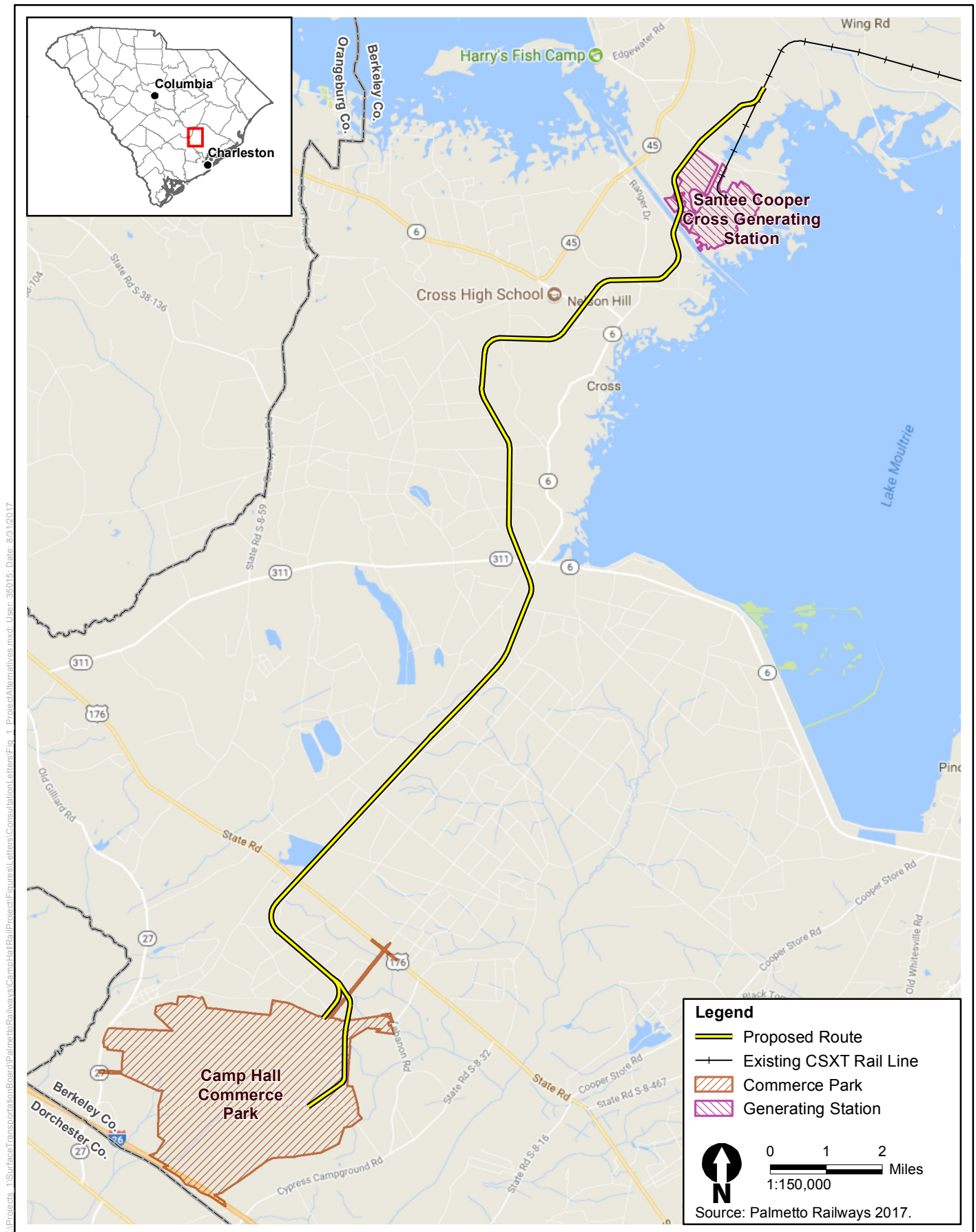




Figure B
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SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Office of Environmental Analysis

September 8, 2017

US Coast Guard
Barry Dragon
Chief, Bridge Branch
909 Se 1St Ave
#510
Miami, FL 33131

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Victoria Rutson
Director
Office of Environmental Analysis

Enclosures:

Figure A-Proposed Route Map

Figure B-Palmetto Railways Alternatives Analysis Map

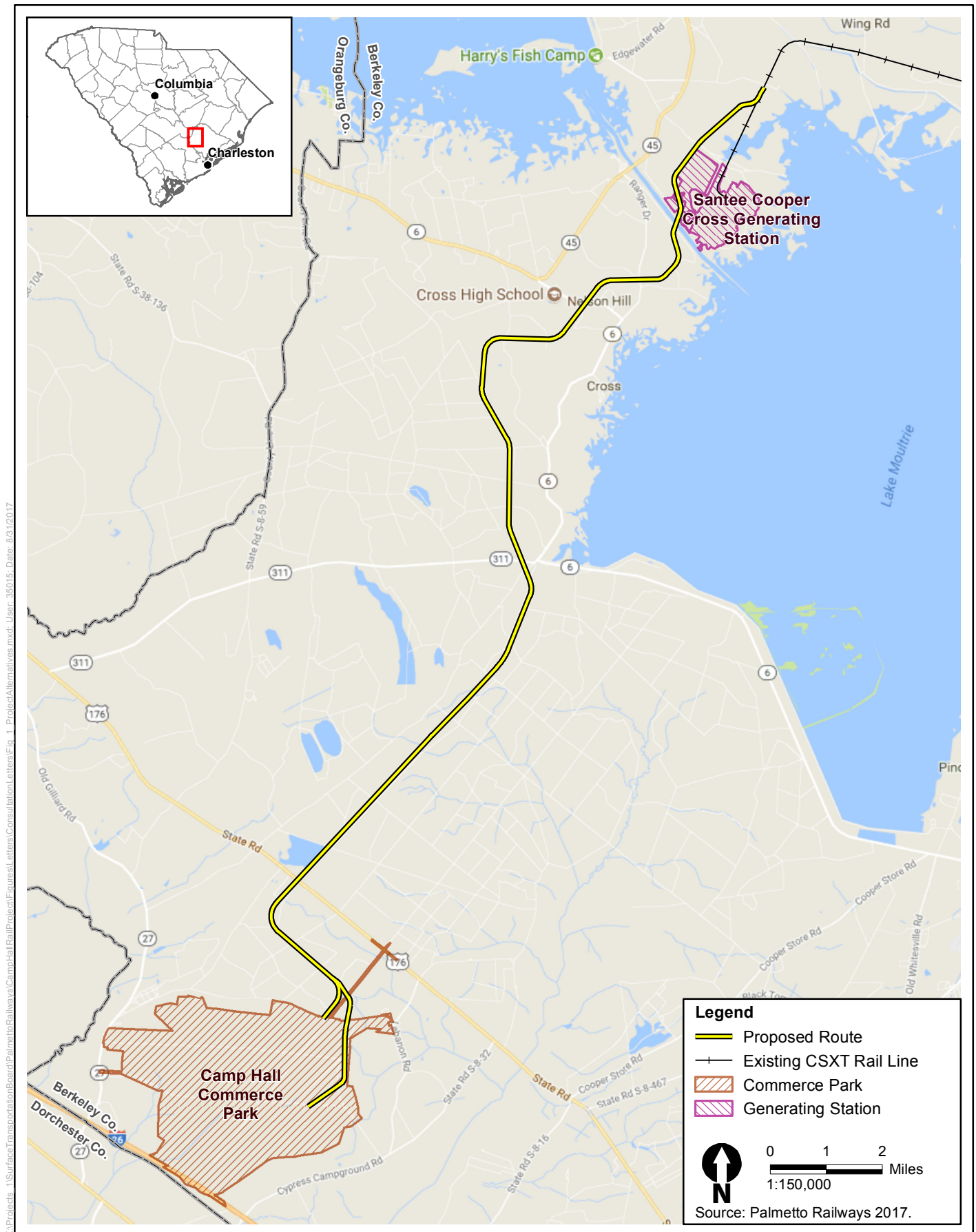


Figure A
Palmetto Railways Proposed Route



Figure B

Palmetto Railways Alternatives Analysis Map



SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Office of Environmental Analysis

September 8, 2017

US Environmental Protection Agency
Kelly Laycock
South Carolina Regulatory Coordinator
Sam Nunn Atlanta Federal Ctr
61 Forsyth St, SW
Atlanta, GA 30303

RE: STB Finance Docket No. 36095, Palmetto Railways—Construction and Operation Exemption—In Berkeley County, South Carolina; Preliminary Consultation

Dear Kelly Laycock:

On August 3, 2017 the 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 Surface Transportation Board's (Board) Office of Environmental Analysis (OEA) and the United States Army Corps of Engineers (Corps), Charleston District, are beginning the environmental review of the proposed rail line construction project in compliance with the National Environmental Policy Act and related laws and regulations.

The purpose of this letter is to advise you of the proposed rail line project, request information from your agency on the resources under your jurisdiction that could be affected by the proposed project, and identify permits and approvals that could be required of the Applicant.

Project Background

The proposed rail line would be a short-line rail track that begins at a new connection to the A-Line of CSX Transportation (CSXT) (through the CSXT Cross Subdivision connection), and ends within the Camp Hall Commerce Park, an industrial park currently under development in Ridgeville and near Interstate 26. The connection to CSXT would occur on the Santee Cooper property adjacent to its Cross Generating Station, and would cross the Diversion Canal between Lake Marion and Lake Moultrie, running south-southwest. South of the Diversion Canal, the right-of-way traverses the unincorporated rural community of Cross. Beyond the Cross

community, the proposed line passes through a mix of commercial, residential and silvicultural properties before reaching the Camp Hall Commerce Park.

The area is primarily covered by forests, forested wetlands, and open water. The proposed rail line crosses US Highway 176, SC Highway 311, and Old Highway 6, 15 secondary roads and 21 minor forestry/agricultural roads. The entire line would be located within Berkeley County. See Figure A, which shows Palmetto Railways' proposed route in the "Cross Corridor" that Palmetto Railways developed as part of its Alternative Analysis and Figure B, which depicts the additional alternatives studied by Palmetto Railways.

The proposed project is intended to bring rail service to the industrial park, to support the area's infrastructure needs and to alleviate highway congestion involving large commercial trucks in the area.

Environmental Review Process

OEA and the Corps will work as joint-lead agencies to evaluate the potential environmental effects of the proposed project, including any reasonable and feasible alternatives to the proposed route 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 C.F.R. § 1105, the Corps' permitting authority under Section 404(b)(1) of the Clean Water Act (40 CFR Part 230), and other applicable federal, and state laws.

This letter begins the process by which OEA and the Corps will assess the potential environmental effects, both positive and negative, that may be associated with the proposed rail line construction and operation. We appreciate your assistance in identifying whether any resources of concern to your agency may be affected by the proposed project and welcome information on any additional issues or concerns that you consider appropriate.

To assist in your review of the proposed project, please review the additional information filed by the Applicant in support of its proposal. This information may be found on the Board and Corps' Project website at www.CampHallRailNEPA.com.

Request for Comments

We would like to hear from you regarding whether any resources under your jurisdiction could be affected by the proposed project, and whether this proposal would require permitting or approval requirements from your agency. We request your response by **October 8, 2017**, so that we may be able to schedule any meetings, site visits, or surveys; conduct necessary follow-up activities; and incorporate your response into the scope of study, as appropriate.

Please send your written comments to Diana Wood, OEA's Project Manager for the environmental analysis, by email at Diana.Wood@stb.gov, or by mail to:

Ms. Diana Wood
Surface Transportation Board
Docket No. FD 36095
c/o ICF
9300 Lee Highway
Fairfax, VA 22031

You may also submit comments electronically through the Board's Web site at www.stb.gov by clicking on the "E-Filing" quick link on the right-hand side of the home page and then selecting "Environmental Comments." Brief comments may be typed within the comment field provided, or alternatively, you may attach comments as Microsoft Word or Adobe Acrobat files.

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Victoria Rutson
Director
Office of Environmental Analysis

Enclosures:

Figure A-Proposed Route Map

Figure B-Palmetto Railways Alternatives Analysis Map



Figure A
Palmetto Railways Proposed Route



Figure B
Palmetto Railways Alternatives Analysis Map



SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Office of Environmental Analysis

September 8, 2017

US Environmental Protection Agency
Christopher Militscher
Chief
Sam Nunn Atlanta Federal Ctr
61 Forsyth St, SW
Atlanta, GA 30303

RE: STB Finance Docket No. 36095, Palmetto Railways—Construction and Operation Exemption—In Berkeley County, South Carolina; Preliminary Consultation

Dear Mr. Militscher:

On August 3, 2017 the 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 Surface Transportation Board's (Board) Office of Environmental Analysis (OEA) and the United States Army Corps of Engineers (Corps), Charleston District, are beginning the environmental review of the proposed rail line construction project in compliance with the National Environmental Policy Act and related laws and regulations.

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Docket No. FD 36095
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9300 Lee Highway
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Director
Office of Environmental Analysis

Enclosures:

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Figure B-Palmetto Railways Alternatives Analysis Map



Figure A
Palmetto Railways Proposed Route



Figure B
Palmetto Railways Alternatives Analysis Map



SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Office of Environmental Analysis

September 8, 2017

US Fish and Wildlife Services
Mark Caldwell
Deputy Field Supervisor
176 Croghan Spur Rd
Ste 200
Charleston, SC 29407

RE: STB Finance Docket No. 36095, Palmetto Railways—Construction and Operation Exemption—In Berkeley County, South Carolina; Preliminary Consultation

Dear Mr. Caldwell:

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c/o ICF
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Director
Office of Environmental Analysis

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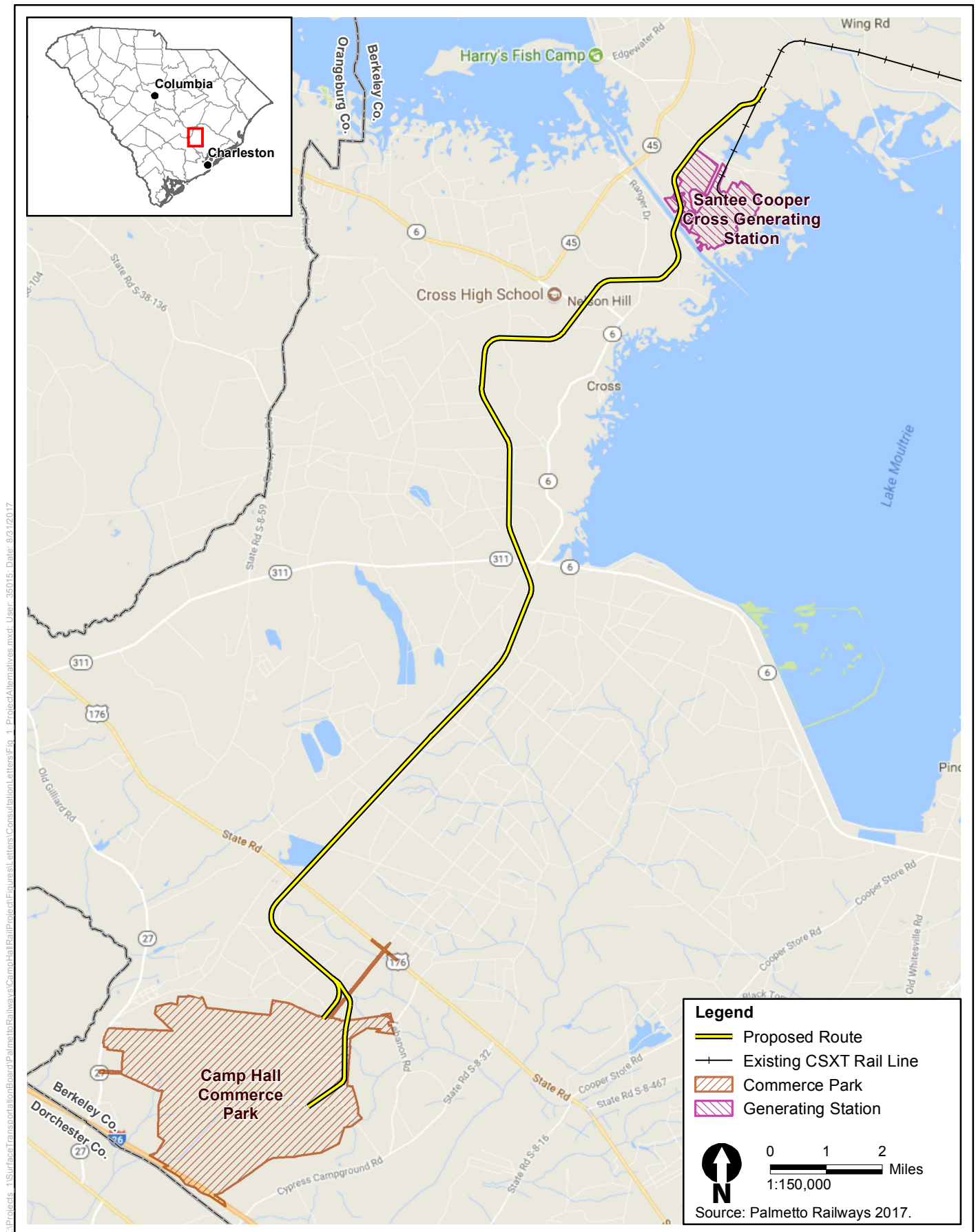


Figure A
Palmetto Railways Proposed Route



Figure B

Palmetto Railways Alternatives Analysis Map



SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Office of Environmental Analysis

September 8, 2017

US Housing & Urban Development
Michael German
Acting Field Office Director
1835 Assembly St
13Th Fl
Columbia, SC 29201

RE: STB Finance Docket No. 36095, Palmetto Railways—Construction and Operation Exemption—In Berkeley County, South Carolina; Preliminary Consultation

Dear Mr. German:

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Surface Transportation Board
Docket No. FD 36095
c/o ICF
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Victoria Rutson
Director
Office of Environmental Analysis

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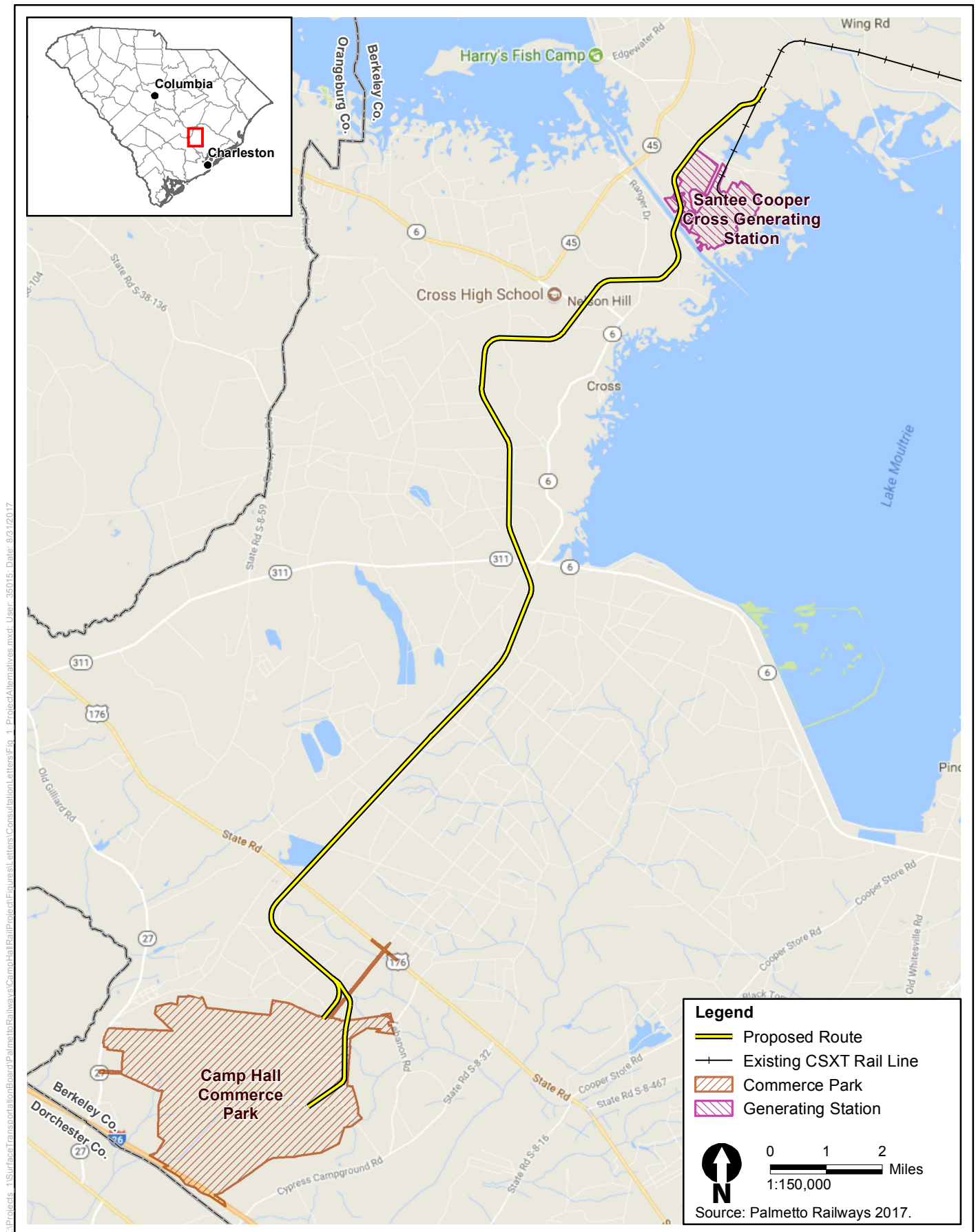


Figure A
Palmetto Railways Proposed Route





SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Office of Environmental Analysis

September 8, 2017

USDA NRCS
Ann English
State Conservationist
1835 Assembly St
Rm 950
Columbia, SC 29201

RE: STB Finance Docket No. 36095, Palmetto Railways—Construction and Operation Exemption—In Berkeley County, South Carolina; Preliminary Consultation

Dear Ms. English:

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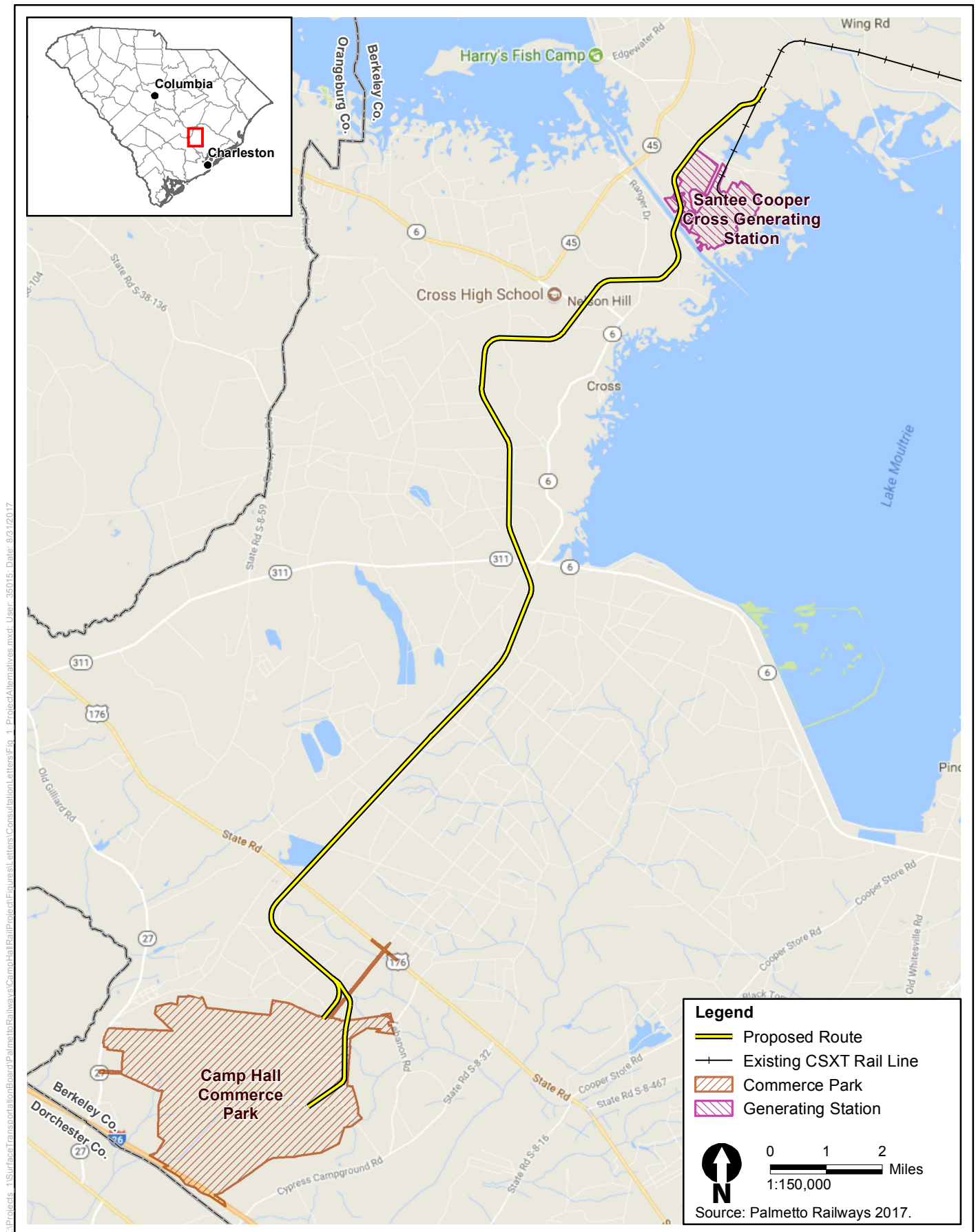


Figure A
Palmetto Railways Proposed Route



Figure B
Palmetto Railways Alternatives Analysis Map

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

USDA Natural Resources Conservation Service

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.

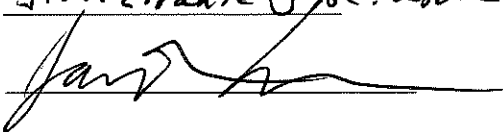
Name of USDA Natural Resources Conservation Service designated contact for Section 106 Consultation for the Surface Transportation Board's decision on whether to allow Palmetto Railways to construct and operate a new rail line in South Carolina:

Please print

Name: Jim Errante

Phone: 803-253-3937

E-mail: Jim.Errante@sc.usda.gov

Signed: 

Date: 6/11/18

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

October 10, 2017

Federal Energy Regulatory Commission
Carlisa Linton-Peters
Division of Hydropower Administration & Compliance
888 First Street NE
Rm 72-75
Washington, DC 20426

RE: STB Finance Docket No. 36095, Palmetto Railways—Construction and Operation Exemption—In Berkeley County, South Carolina; Preliminary Consultation

Dear Ms. Linton-Peters:

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The proposed project is intended to bring rail service to the industrial park, to support the area's infrastructure needs and to alleviate highway congestion involving large commercial trucks in the area.

Environmental Review Process

OEA and the Corps will work as joint-lead agencies to evaluate the potential environmental effects of the proposed project, including any reasonable and feasible alternatives to the proposed route 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 C.F.R. § 1105, the Corps' permitting authority under Section 404(b)(1) of the Clean Water Act (40 CFR Part 230), and other applicable federal, and state laws.

This letter begins the process by which OEA and the Corps will assess the potential environmental effects, both positive and negative, that may be associated with the proposed rail line construction and operation. We appreciate your assistance in identifying whether any resources of concern to your agency may be affected by the proposed project and welcome information on any additional issues or concerns that you consider appropriate.

To assist in your review of the proposed project, please review the additional information filed by the Applicant in support of its proposal. This information may be found on the Board and Corps' Project website at www.CampHallRailNEPA.com.

Request for Comments

We would like to hear from you regarding whether any resources under your jurisdiction could be affected by the proposed project, and whether this proposal would require permitting or approval requirements from your agency. We request your response by **November 10, 2017**, so that we may be able to schedule any meetings, site visits, or surveys; conduct necessary follow-up activities; and incorporate your response into the scope of study, as appropriate.

Please send your written comments to Diana Wood, OEA's Project Manager for the environmental analysis, by email at Diana.Wood@stb.gov, or by mail to:

Ms. Diana Wood
Surface Transportation Board
Docket No. FD 36095
c/o ICF
9300 Lee Highway
Fairfax, VA 22031

You may also submit comments electronically through the Board's Web site at www.stb.gov by clicking on the "E-Filing" quick link on the right-hand side of the home page and then selecting "Environmental Comments." Brief comments may be typed within the comment field provided, or alternatively, you may attach comments as Microsoft Word or Adobe Acrobat files.

We look forward to your participation in the environmental review process. If you have any questions or would like to arrange a call, please feel free to contact Diana Wood by phone at 202-245-0302 or by email at Diana.Wood@stb.gov or the Corps' project manager, Courtney Stevens by phone at 843-329-8027 or by email at Courtney.M.Stevens@usace.army.mil.

Sincerely,

A handwritten signature in black ink, appearing to read "Victoria Rutson".

Victoria Rutson
Director
Office of Environmental Analysis

Enclosures:

Figure A-Proposed Route Map

Figure B-Palmetto Railways Alternatives Analysis Map



Figure A
Palmetto Railways Proposed Route





United States Department of the Interior

FISH AND WILDLIFE SERVICE

176 Croghan Spur Road, Suite 200
Charleston, South Carolina 29407



October 2, 2017

Ms. Diana Wood
Surface Transportation Board
Docket No. FD 36095
c/o ICF
9300 Lee Highway
Fairfax, VA 22031

Re: STB Finance Docket 36095, Palmetto Railways – Construction and Operation
Exemption, Berkeley County, South Carolina
FWS Log No. 2017-CPA-0086

Dear Ms. Wood:

The U.S. Fish and Wildlife Service (Service) has received your letter dated September 8, 2017, regarding Palmetto Railway's filed petition to construct and operate a 22.7-mile new rail line in Berkeley County, South Carolina. The Surface Transportation Board's Office of Environmental Analysis (OEA) and the Army Corps of Engineers (Corps), Charleston District, are beginning the environmental review in compliance with the National Environmental Policy Act and related laws and regulations. As such, you have requested information regarding resources under our jurisdiction that could be affected by the proposed project.

Upon review of the proposed project, site map, and additional information filed by the Applicant found on the OEA and Corps' Project Web site, we offer the following preliminary comments and concerns for consideration.

- The project's current list of federally threatened and endangered (T&E) species in Berkeley County needs be updated to include the northern long-eared bat (NLEB). The NLEB was listed as threatened under the Endangered Species Act of 1973 (ESA) on May 4, 2015. At that time the NLEB were only thought to occur only ten counties within South Carolina. However, recent surveys have discovered the NLEB in the coastal counties of Beaufort, Berkeley, and Charleston. With this new information, the Service assumes that the NLEB is likely to occur statewide at all times of the year. This change became effected on July 17, 2017;
- The presence of At-Risk Species (ARS), should be included in the environmental documentation;

- Consultation under section 7 of the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.*) (ESA) should occur with our office. It was noted that a Protected Species Assessment was presented as Appendix D in the Environmental Report and formatted as a letter address to our office; to date we have no record of this consultation.
- The Service recommends surveys for T&E species and habitat present within the project area, including but not limited to, surveys for red-cockaded woodpeckers (RCW), which were historically present in the area. We suggest surveys for RCWs should include at least 200 feet from either side of the right-of-way. Once the surveys are complete, it should be submitted to our office for review.

For OEA's convenience, the Service has included with this letter, a list of species that are currently protected under the Endangered Species Act of 1973 (ESA). This list also includes species that are considered as a candidate for listing under the ESA, and those that have been petitioned for listing under the ESA. Appropriate survey time frames or windows for each species are included in the list. The species which have been petitioned for listing are considered ARS and may occur in Berkeley County, South Carolina. Although there are no Federal protections afforded to ARS, please consider including ARS in your planning efforts. Incorporating proactive measures to avoid or minimize harm to ARS may improve their status and assist with precluding the need to list these species. Additional information on ARS can be found at:

<http://www.fws.gov/southeast/candidateconservation>

The Service appreciates the opportunity to provide input at this early stage of the project's development. If you have any questions, please contact Ms. Melanie Olds at (843) 727-4707 ext. 205, and reference FWS Log No. 2017-CPA-0086.

Sincerely,


for Thomas D. McCoy
Field Supervisor

TDM/MJO

South Carolina List of At-Risk, Candidate, Endangered, and Threatened Species - Berkeley County

CATEGORY	COMMON NAME/STATUS	SCIENTIFIC NAME	SURVEY WINDOW/ TIME PERIOD	COMMENTS
Amphibian	Frosted flatwoods salamander (T, CH)	<i>Ambystoma cingulatum</i>	January 1-April 30	Larvae present in breeding ponds
	Gopher frog (ARS)	<i>Lithobates capito</i>	Breeding: October-March	Call survey: February-April
Bird	American wood stork (T)	<i>Mycteria americana</i>	February 15-September 1	Nesting season
	Bald eagle (BGEPA)	<i>Haliaeetus leucocephalus</i>	October 1-May 15	Nesting season
	MacGillivray's seaside sparrow (ARS)	<i>Ammodramus maritimus macgillivrayi</i>	May-June	
	Red-cockaded woodpecker (E)	<i>Picoides borealis</i>	April 1-July 31	Nesting season
Crustacean	None Found			
Fish	American eel (ARS)	<i>Anguilla rostrata</i>	March 1-May 30; October 1-December 15	Temperature dependent: normally (17-20°C); can be found between 13-25°C
	Atlantic sturgeon* (E)	<i>Acipenser oxyrinchus*</i>	February 1-April 30	Spawning migration
	Blueback herring (ARS)	<i>Alosa aestivalis</i>	Mid-January-mid May	Peak: March-April
	Shortnose sturgeon* (E)	<i>Acipenser brevirostrum*</i>	February 1-April 30	Spawning migration
Insect	Frosted elfin (ARS)	<i>Callophrys irus</i>	March - June	
Mammal	Northern long-eared bat (T)	<i>Myotis septentrionalis</i>	Year round	Winter surveys not as successful
	Rafinesque's big-eared bat (ARS)	<i>Corynorhinus rafinesquii</i>	Year round	Found in mines, caves, large hollow trees, buildings, and bat towers
	Tri-colored bat (ARS)	<i>Perimyotis subflavus</i>	Year round	Found in mines and caves in the winter
	West Indian manatee (T)	<i>Trichechus manatus</i>	May 15-October 15	In coastal waters
Mollusk	None Found			
Plant	American chaffseed (E)	<i>Schwalbea americana</i>	May-August	1-2 months after a fire
	Boykin's lobelia (ARS)	<i>Lobelia boykinii</i>	May-July/August	
	Bog asphodel (ARS*)	<i>Narthecium americanum</i>	June-July	
	Canby's dropwort (E)	<i>Oxypolis canbyi</i>	Mid-July-September	
	Carolina-birds-in-a-nest (ARS)	<i>Macbridea caroliniana</i>	July-November	
	Carolina bishopweed (ARS)	<i>Ptilimnium ahlesii</i>	May-July	
	Ciliate-leaf tickseed (ARS)	<i>Coreopsis integrifolia</i>	August-November	
	Long Beach seedbox (ARS)	<i>Ludwigia brevipes</i>	July-October	
	Pondberry (E)	<i>Lindera melissifolia</i>	February-March	
	Raven's seedbox (ARS)	<i>Ludwigia ravenii</i>	June-October	
	Sun-facing coneflower (ARS)	<i>Rudbeckia heliopsidis</i>	July-September	
Reptile	Eastern diamondback rattlesnake (ARS)	<i>Crotalus adamanteus</i>	Most of the year	Peak: April-November
	Southern hognose snake (ARS)	<i>Heterodon simus</i>	Most of the year	
	Spotted turtle (ARS)	<i>Clemmys guttata</i>	February-mid April	

7/18/2017

- These lists should be used only as a guideline, not as the final authority. The lists include known occurrences and areas where the species has a high possibility of occurring. Records are updated as deemed necessary and may differ from earlier lists.

From: Overton, Randall D CIV [mailto:Randall.D.Overton@uscg.mil]
Sent: Wednesday, September 27, 2017 3:10 PM
To: Wood, Diana <Diana.Wood@stb.gov>
Cc: D07-DG-DISTRICTSTAFF-DPB <D07-DG-DISTRICTSTAFF-DPB@uscg.mil>
Subject: Preliminary Consultation for Palmetto Railways - STB Finance Docket No. 36095 - Construction and Operation Exemption-In Berkeley County, South Carolina

Dear Ms. Wood,

This email is in response to your letter dated September 8, 2017, addressed to US Coast Guard Chief, Bridge Branch in Miami, FL. Your letter request determinations for resource jurisdiction and permitting requirement for a short-line rail track purposed by Palmetto Railways to be located in Berkley County, SC. The purposed rail line would cross the Diversion Canal between Lake Marion and Lake Moultrie (also known as the Santee-Cooper Diversion Canal). The Santee-Cooper Diversion Canal is a navigable water of the United States as defined in 33 CFR 2.36. Because the purposed rail line will cross navigable waters of the United States a Coast Guard Bridge Permit pursuant to the General Bridge Act of 1946 33 U.S.C. §525 is required.

It is our understanding the Surface Transportation Board (STB), Office of Environmental Analysis (OEA), and the US Army Corps of Engineers (USACE), Charleston District have assumed the role as lead federal agency (co-lead agencies). We require a letter from STB (OEA) and the USACE stating that they will serve as co-lead federal agencies for the National Environmental Policy Act and other applicable environmental control laws such as the National Historic Preservation Act, Threatened and Endangered Species Act and the Invasive Species Act. The Coast Guard agrees to serve as a Cooperating Agency for this project and request that we be given the opportunity to review the environmental document before it is finalized.

The Coast Guard request that a navigation impact study be completed by the applicant or their consultant as earlier as possible and prior to selection of design alternative for the bridge crossing the Santee-Cooper Canal. The Coast Guard will use the findings of the navigation impact report, along with an independent review of the waterway, to provide the applicant (as well as the STB OEA, and USACE) with preliminary "minimum navigational clearances" the bridge must meet to obtain a Coast Guard permit.

The navigation report should include among other items:

1. Present governing structures (bridges on the waterway - navigational clearances available for access and egress of the waterway), any other structure on the waterway which may govern navigation on the waterway (transmission cables, navigation locks etc.).
2. Heights of vessels transiting through the waterway. The objective is to ensure that a new bridge will provide safe passage of vessels plying the waterway. We want to avoid possible delays in the project due to proposed bridge designs which will obstruct vessel traffic.

Please review the Navigation Impact Report guidelines in the Coast Guard Bridge Permit Application Guide located at

https://na01.safelinks.protection.outlook.com/?url=https%3A%2F%2Furldefense.proofpoint.com%2Fv2%2Furl%3Fu%3Dhttps-3A__na01.safelinks.protection.outlook.com_-3Furl-3Dhttp-253A-252F-252Fwww.dco.uscg.mil-252FOur-2DOrganization-252FAssistant-2DCommandant-2Dfor-2DPrevention-

2DPolicy-2DCG-2D5P-252FMarine-2DTransportation-2DSystems-2DCG-2D5PW-252FOffice-2Dof-
2DBridge-2DPrograms-252FBridge-2DPermit-2DApplication-2DProcess-252F-26data-3D02-257C01-
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896033&sdata=P1ZgIxN2v1SC3t5vTtqVXdXbUrsImr1LSiYFvD5GopU%3D&reserved=0=

The weblink above also contains helpful information you will need when making application for a Coast Guard Bridge Permit.

Please let me know if you have questions or concerns about the navigation impact report or the application process.

The mailing address for our office is:

Commander (dpb)
Coast Guard Seventh District
Attn: Bridge Branch
909 SE 1st Ave Suite 432
Miami, FL 33131

Thank you,

Randall Overton
Federal Permit Agent USCG
Bridge Management Specialist
909 SE 1st Ave Suite 432
Miami, FL 33131
(305) 205-0795 Cell
(305) 415-6736 Office



United States Department of Agriculture

Ms. Diana Wood
Surface Transportation Board
Docket No. FD 36095
c/o ICF
9300 Lee Highway
Fairfax, VA 22031

OCT 06 2017

RE: STB Finance Docket No. 36095, Palmetto Railways
Construction and Operation Exemption
Preliminary Consultation
Berkeley County, South Carolina

Dear Ms. Wood:

Please find enclosed a map of the important farmland soils in the proposed rail line project Palmetto Railways – Construction and Operation Exemption in Berkeley County, South Carolina.

Utilizing a 200-ft corridor around the proposed 22.7 mile railway, there are approximately 135.3 acres of prime farmland and 334.7 acres of farmland of statewide importance. The remaining 140.3 acres of the proposed project railway are not prime or statewide important farmland.

Utilizing a 200-ft corridor around the proposed alternative sites: Soter South Route, Soter North Route, Moncks Corner Route, Cross Route, Eutawville/Holly Hill Route, Ridgeville Route, there are approximately 565.3 acres of prime farmland, 1087.7 acres of farmland of statewide importance, 18.8 acres of prime farmland if drained and 18.5 of prime farmland if protected from flooding or not frequently flooded during the growing season. The remaining 449.8 acres are not prime or statewide important farmland.

NRCS policy and procedures on prime and unique farmlands are published in the Code of Federal Regulations 7CFR657. The website is: http://www.access.gpo.gov/nara/cfr/waisidx_00/7cfr657_00.html. Detailed information can be found in Section 657.5 on this website.

If you have any questions, please contact Kamara Holmes, State Soil Scientist, at 803-253-3896 or kamara.holmes@sc.usda.gov.

Sincerely,



ANN ENGLISH
State Conservationist

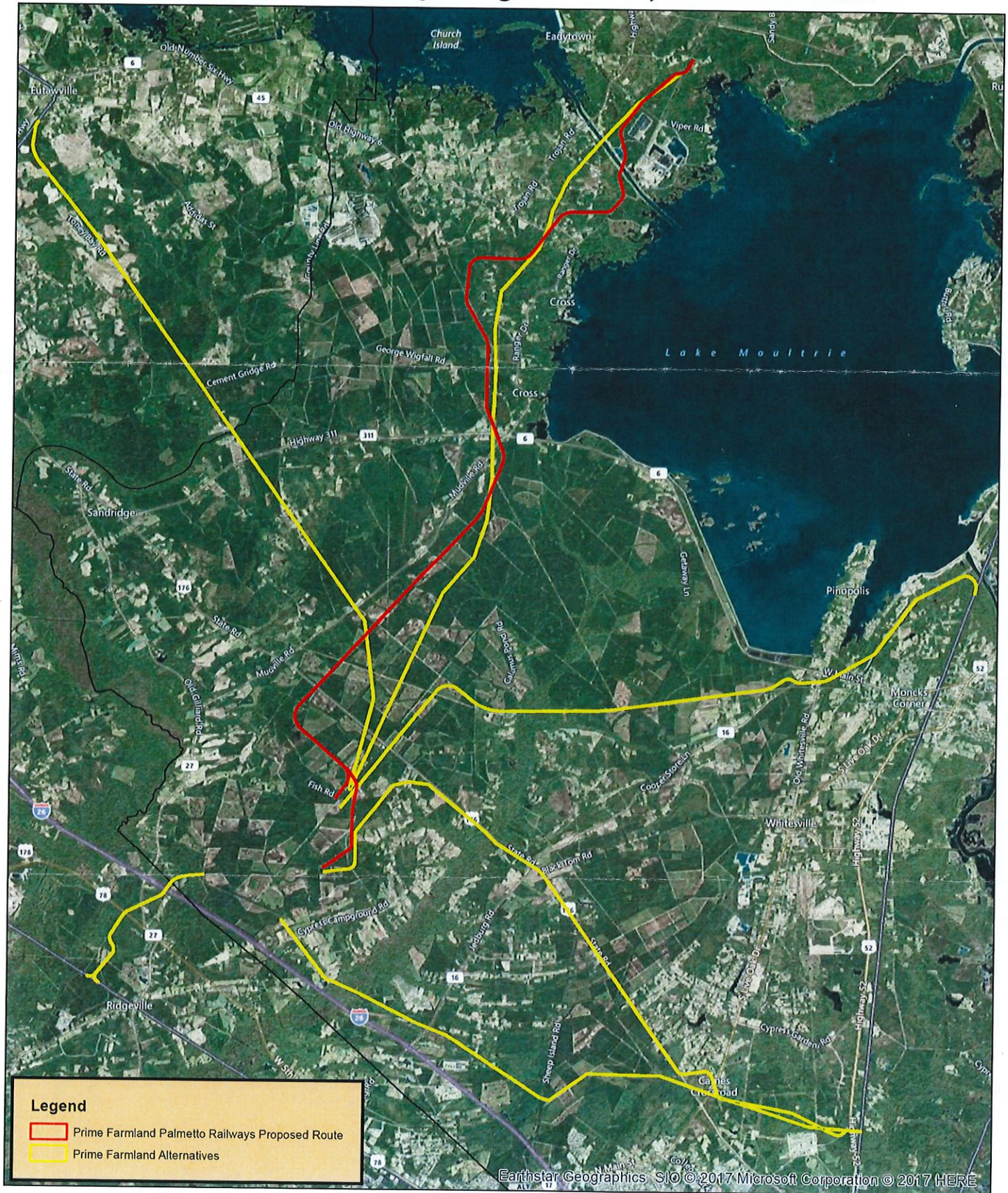
Attachment

cc:

Kamara Holmes, State Soil Scientist, NRCS, Columbia, SC

Natural Resources Conservation Service
1835 Assembly Street, Room 950
Columbia, South Carolina 29201
(803) 253-3935
Fax: (855) 565-9308
Helping People Help the Land
An Equal Opportunity Provider and Employer

Farmland Classification - Palmetto Railways Proposed Route and Alternatives Analysis Berkeley and Orangeburg Counties, South Carolina



-----Original Message-----

From: Long, Larry [<mailto:Long.Larry@epa.gov>]

Sent: Tuesday, March 6, 2018 2:51 PM

To: wood@stb.dot.gov; Williams, Elizabeth G CIV USARMY CESAC (US)

<Elizabeth.G.Williams@usace.army.mil>

Cc: Militscher, Chris <Militscher.Chris@epa.gov>

Subject: [Non-DoD Source] Palmetto Railways Camp Hall Project Scoping Comments

Ms. Dianne Wood

Project Manager

Office of Environmental Analysis

Surface Transportation Board

395 E Street, S.W.

Washington D.C. 20423-0001

RE: Palmetto Railways Camp Hall Project Scoping Comments

Ms. Wood

The U.S. Environmental Protection Agency (EPA) has reviewed the Environmental Report for the Camp Hall Rail project in Berkeley County, South Carolina. The EPA notes that there are two lead federal agencies on this project. The U.S. Surface Transportation Board (STB) and the U.S. Army Corps of Engineers (USACE) Charleston District. Palmetto Railways is requesting regulatory approval to locate, build, own and operate an industrial rail line between Santee Cooper's Cross Generating Station and the Camp Hall Commerce Park in Berkeley County, South Carolina. As stated, the proposed project has the potential to impact 83.18 acres of jurisdictional wetlands, of which 77.9 acres are located within the Cooper Watershed, with 5.76 acres located in the Four Hole Swamp Watershed, including approximately 0.06 acres and 169 feet of jurisdictional streams.

The EPA would like to reiterate the water-quality protection recommendations that were previously made. These include the use of stringent erosion control practices during construction activities and timely re-establishment of vegetation on disturbed areas. The inspection and maintenance of silt fences and other erosion control Best Management Practices (BMPs) until vegetation has stabilized disturbed grounds. The use of natural vegetation and grading techniques (e.g. vegetated swales, vegetated buffer strips) to ensure the road does not serve as a conduit for storm water or pollutants into Waters of the U.S. The EPA also requests that compensatory mitigation for any unavoidable impacts to jurisdictional waters be identified and included in the draft NEPA document.

Thank you for the opportunity to provide comments for your proposed project. In the event that the project rises above the application process and to the level of an EA or EIS along with a need to engage our review process, the EPA Region 4 requests two hard copies of the draft documents, with one electronic version, (e.g., CD). Please forward all hard/electronic copies to:

U.S. Environmental Protection Agency - Region 4

Attn: NEPA Program Office

61 Forsyth Street, SW

Atlanta, GA 30303

If you have any questions or comments concerning our recommendations, feel free to contact me via the information provided below.

Larry Long

Regional Mining Expert

Physical Scientist/Sr. Principle Reviewer Resource Conservation & Restoration Division EPA Region 4
NEPA Program Office
61 Forsyth Street, SW
Atlanta, GA 30303
404-562-9460

404-562-9598(FAX)

long.larry@epa.gov <<mailto:long.larry@epa.gov>>

CONFIDENTIALITY NOTICE: This message is being sent by or on behalf of the Environmental Protection Agency. It is intended exclusively for the individual(s) or entity(s) to whom or to which it is addressed. This communication may contain information that is proprietary, privileged or confidential, or otherwise legally exempted from disclosure. If you are not the named addressee, you are not authorized to read, print, retain, copy, or disseminate this message, or any part of it. If you have received this message in error, please notify the sender immediately by email and delete all copies of the message.

Preliminary Tribal Consultation



SURFACE TRANSPORTATION BOARD
Washington, DC 20423
Office of Environmental Analysis

September 8, 2017

Catawba Indian Nation
Tribal Administrator, Elizabeth Harris
996 Avenue Of The Nations
Rock Hill, SC 29730

RE: STB Finance Docket No. 36095, Palmetto Railways—Construction and Operation Exemption—In Berkeley County, South Carolina; Preliminary Consultation

Dear Ms. Harris:

On August 3, 2017 the 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 Surface Transportation Board's (Board) Office of Environmental Analysis (OEA) and the United States Army Corps of Engineers (Corps), Charleston District, are beginning the environmental review of the proposed rail line construction project in compliance with the National Environmental Policy Act and related laws and regulations.

The purpose of this letter is to advise you of the proposed rail line project and request information from your tribe on resources that could be affected by the proposed project.

Project Background

The proposed rail line would be a short-line rail track that begins at a new connection to the A-Line of CSX Transportation (CSXT) (through the CSXT Cross Subdivision connection), and ends within the Camp Hall Commerce Park, an industrial park currently under development in Ridgville near Interstate 26. The connection to CSXT would occur on the Santee Cooper property adjacent to its Cross Generating Station, and would cross the Diversion Canal between Lake Marion and Lake Moultrie, running south-southwest. South of the Diversion Canal, the right-of-way traverses the unincorporated rural community of Cross. Beyond the Cross community, the proposed line passes through a mix of commercial, residential and silvicultural properties before reaching the Camp Hall Commerce Park.

The area is primarily covered by forests, forested wetlands, and open water. The proposed rail line crosses US Highway 176, SC Highway 311, and Old Highway 6, 15 secondary

roads and 21 minor forestry/agricultural roads. The entire line would be located within Berkeley County. See Figure A, which shows Palmetto Railways' proposed route in the "Cross Corridor" that Palmetto Railways developed as part of its Alternative Analysis, and Figure B, which depicts the additional alternatives studied by Palmetto Railways.

The proposed project is intended to bring rail service to the industrial park, to support the area's infrastructure needs and to alleviate highway congestion involving large commercial trucks in the area.

Environmental Review Process

OEA and the Corps will work as joint-lead agencies to evaluate the potential environmental effects of the proposed project, including any reasonable and feasible alternatives to the proposed route 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 C.F.R. § 1105, the Corps' permitting authority under Section 404(b)(1) of the Clean Water Act (40 CFR Part 230), and other applicable federal and state laws.

This letter begins the process by which OEA and the Corps will assess the potential environmental effects, both positive and negative, that may be associated with the proposed rail line construction and operation. We appreciate your assistance in identifying whether any resources of concern to your tribe may be affected by the proposed project and welcome information on any additional issues or concerns that you consider appropriate.

To assist in your review of the proposed project, please review the additional information filed by the Applicant in support of its proposal. This information may be found on the Board and Corps' Project website at www.CampHallRailNEPA.com.

Request for Comments

The Board is also interested in knowing whether your tribe is interested in consulting with us regarding the broader range of impacts assessed under NEPA including those to tribal lands and resources. To assist you in your response, I have attached a questionnaire regarding any future involvement your tribe may want in the overall NEPA process. We respectfully request you complete the questionnaire and return it by **October 8, 2017**, so that we may be able to schedule any meetings, site visits, or surveys; conduct necessary follow-up activities; and incorporate your response into the scope of study, as appropriate. The Board will also be initiating consultation with Consulting Parties under the National Historic Preservation Act, including any tribe that attaches religious and cultural significance to historic properties that may be affected by this undertaking.

Please send your written comments to Diana Wood, OEA's Project Manager for the environmental analysis, by email at Diana.Wood@stb.gov, or by mail to:

Ms. Diana Wood
Surface Transportation Board
Docket No. FD 36095
c/o ICF
9300 Lee Highway
Fairfax, VA 22031

You may also submit comments electronically through the Board's Web site at www.stb.gov by clicking on the "E-Filing" quick link on the right-hand side of the home page and then selecting "Environmental Comments." Brief comments may be typed within the comment field provided, or alternatively, you may attach comments as Microsoft Word or Adobe Acrobat files.

We look forward to your participation in the environmental review process. If you have any questions or would like to arrange a call, please feel free to contact Diana Wood by phone at 202-245-0302 or by email at Diana.Wood@stb.gov or the Corps' project manager, Courtney Stevens by phone at 843-329-8027 or by email at Courtney.M.Stevens@usace.army.mil.

Sincerely,

A handwritten signature in black ink, appearing to read "Victoria Rutson". The signature is fluid and cursive, with the first name "Victoria" and last name "Rutson" clearly distinguishable.

Victoria Rutson
Director
Office of Environmental Analysis

Enclosures:

Figure A-Proposed Route Map

Figure B-Palmetto Railways Alternative Analysis Map

Consultation Questionnaire

CONSULTATION QUESTIONNAIRE

Elizabeth Harris

Docket No. FD 36095, Palmetto Railways—Construction and Operation Exemption—In Berkeley County, South Carolina; Preliminary Consultation

Project Name: Palmetto Railways' proposed rail line in Berkeley County, South Carolina

Please check all the appropriate response(s) that apply from the list below and use the back of this form or additional sheets if you wish to make comments:

- _____ We have no interests associated with Palmetto Railways' proposed rail line and further consultation with our Tribe is not required.
- _____ We want to continue to receive project information by email and participate in the public involvement process.
- _____ We want to continue to receive project information by U.S. mail and participate in the public involvement process.
- _____ We have an interest in Palmetto Railways' proposed rail line and want to participate in government-to-government consultation.

Name of the designated contact for Palmetto Railways' proposed rail line:

_____ Phone: _____

Please Print Name

E-mail: _____

Signed: _____ Date: _____

Please mail to: Ms. Diana Wood
Docket No. FD 36095
Surface Transportation Board
c/o ICF
9300 Lee Highway
Fairfax, VA 22031

Or email to: Diana.Wood@stb.gov



Figure A
Palmetto Railways Proposed Route



Figure B
Palmetto Railways Alternatives Analysis Map



SURFACE TRANSPORTATION BOARD
Washington, DC 20423
Office of Environmental Analysis

September 8, 2017

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

RE: STB Finance Docket No. 36095, Palmetto Railways—Construction and Operation Exemption—In Berkeley County, South Carolina; Preliminary Consultation

Dear Ms. Haire:

On August 3, 2017 the 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 Surface Transportation Board's (Board) Office of Environmental Analysis (OEA) and the United States Army Corps of Engineers (Corps), Charleston District, are beginning the environmental review of the proposed rail line construction project in compliance with the National Environmental Policy Act and related laws and regulations.

The purpose of this letter is to advise you of the proposed rail line project and request information from your tribe on resources that could be affected by the proposed project.

Project Background

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The area is primarily covered by forests, forested wetlands, and open water. The proposed rail line crosses US Highway 176, SC Highway 311, and Old Highway 6, 15 secondary

roads and 21 minor forestry/agricultural roads. The entire line would be located within Berkeley County. See Figure A, which shows Palmetto Railways' proposed route in the "Cross Corridor" that Palmetto Railways developed as part of its Alternative Analysis, and Figure B, which depicts the additional alternatives studied by Palmetto Railways.

The proposed project is intended to bring rail service to the industrial park, to support the area's infrastructure needs and to alleviate highway congestion involving large commercial trucks in the area.

Environmental Review Process

OEA and the Corps will work as joint-lead agencies to evaluate the potential environmental effects of the proposed project, including any reasonable and feasible alternatives to the proposed route 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 C.F.R. § 1105, the Corps' permitting authority under Section 404(b)(1) of the Clean Water Act (40 CFR Part 230), and other applicable federal and state laws.

This letter begins the process by which OEA and the Corps will assess the potential environmental effects, both positive and negative, that may be associated with the proposed rail line construction and operation. We appreciate your assistance in identifying whether any resources of concern to your tribe may be affected by the proposed project and welcome information on any additional issues or concerns that you consider appropriate.

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Request for Comments

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September 8, 2017

Page 3

Please send your written comments to Diana Wood, OEA's Project Manager for the environmental analysis, by email at Diana.Wood@stb.gov, or by mail to:

Ms. Diana Wood
Surface Transportation Board
Docket No. FD 36095
c/o ICF
9300 Lee Highway
Fairfax, VA 22031

You may also submit comments electronically through the Board's Web site at www.stb.gov by clicking on the "E-Filing" quick link on the right-hand side of the home page and then selecting "Environmental Comments." Brief comments may be typed within the comment field provided, or alternatively, you may attach comments as Microsoft Word or Adobe Acrobat files.

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Sincerely,

A handwritten signature in black ink, appearing to read "Victoria Rutson".

Victoria Rutson
Director
Office of Environmental Analysis

Enclosures:

Figure A-Proposed Route Map

Figure B-Palmetto Railways Alternative Analysis Map

Consultation Questionnaire

CONSULTATION QUESTIONNAIRE

Wenonah Haire

Docket No. FD 36095, Palmetto Railways—Construction and Operation Exemption—In Berkeley County, South Carolina; Preliminary Consultation

Project Name: Palmetto Railways' proposed rail line in Berkeley County, South Carolina

Please check all the appropriate response(s) that apply from the list below and use the back of this form or additional sheets if you wish to make comments:

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Name of the designated contact for Palmetto Railways' proposed rail line:

_____ Phone: _____

Please Print Name

E-mail: _____

Signed: _____ Date: _____

Please mail to: Ms. Diana Wood
Docket No. FD 36095
Surface Transportation Board
c/o ICF
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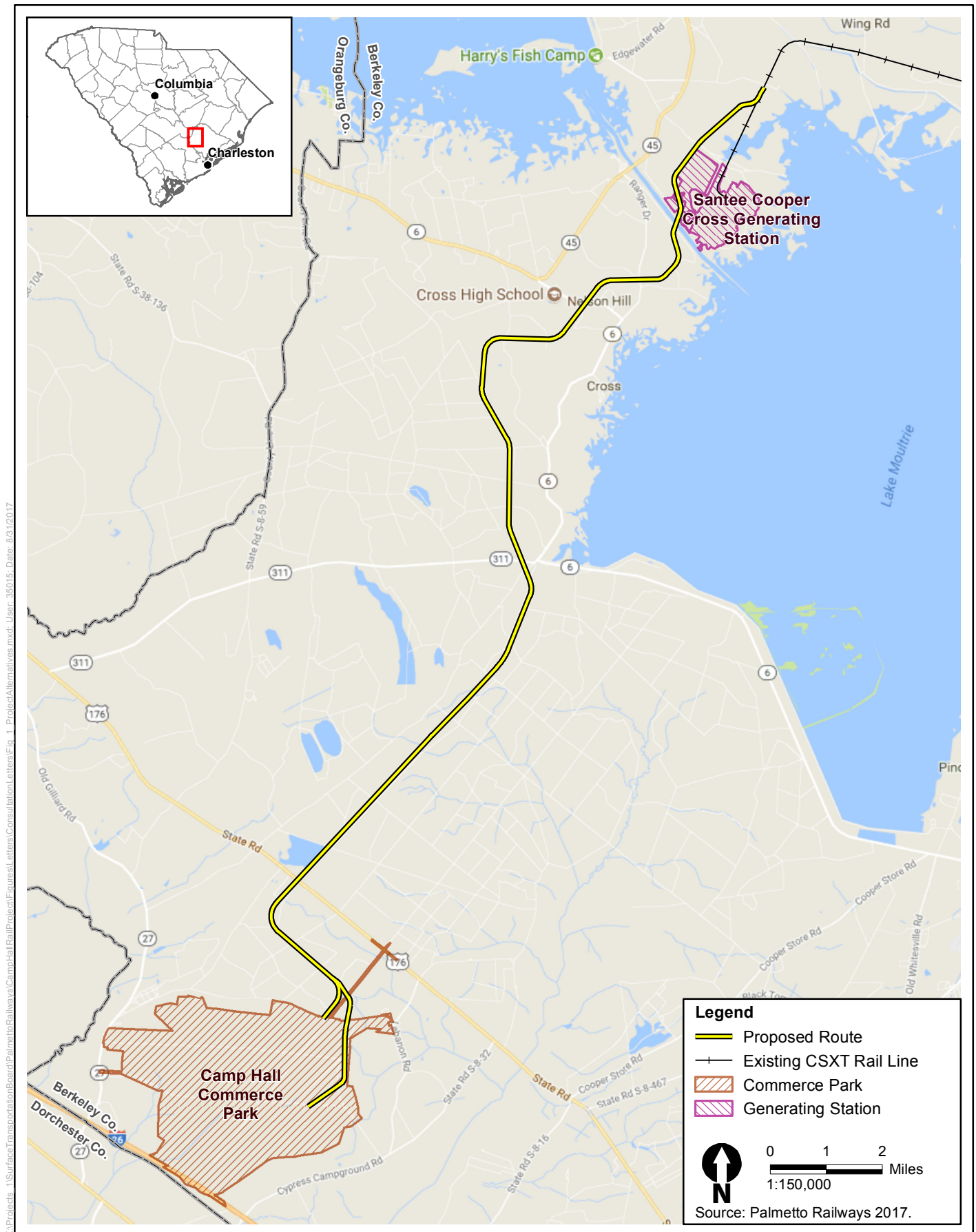


Figure A
Palmetto Railways Proposed Route



Figure B
Palmetto Railways Alternatives Analysis Map



SURFACE TRANSPORTATION BOARD
Washington, DC 20423
Office of Environmental Analysis

September 8, 2017

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

RE: STB Finance Docket No. 36095, Palmetto Railways—Construction and Operation Exemption—In Berkeley County, South Carolina; Preliminary Consultation

Dear Mr. Townsend:

On August 3, 2017 the 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 Surface Transportation Board's (Board) Office of Environmental Analysis (OEA) and the United States Army Corps of Engineers (Corps), Charleston District, are beginning the environmental review of the proposed rail line construction project in compliance with the National Environmental Policy Act and related laws and regulations.

The purpose of this letter is to advise you of the proposed rail line project and request information from your tribe on resources that could be affected by the proposed project.

Project Background

The proposed rail line would be a short-line rail track that begins at a new connection to the A-Line of CSX Transportation (CSXT) (through the CSXT Cross Subdivision connection), and ends within the Camp Hall Commerce Park, an industrial park currently under development in Ridgeville near Interstate 26. The connection to CSXT would occur on the Santee Cooper property adjacent to its Cross Generating Station, and would cross the Diversion Canal between Lake Marion and Lake Moultrie, running south-southwest. South of the Diversion Canal, the right-of-way traverses the unincorporated rural community of Cross. Beyond the Cross community, the proposed line passes through a mix of commercial, residential and silvicultural properties before reaching the Camp Hall Commerce Park.

The area is primarily covered by forests, forested wetlands, and open water. The proposed rail line crosses US Highway 176, SC Highway 311, and Old Highway 6, 15 secondary

roads and 21 minor forestry/agricultural roads. The entire line would be located within Berkeley County. See Figure A, which shows Palmetto Railways' proposed route in the "Cross Corridor" that Palmetto Railways developed as part of its Alternative Analysis, and Figure B, which depicts the additional alternatives studied by Palmetto Railways.

The proposed project is intended to bring rail service to the industrial park, to support the area's infrastructure needs and to alleviate highway congestion involving large commercial trucks in the area.

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Docket No. FD 36095
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Sincerely,

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Victoria Rutson
Director
Office of Environmental Analysis

Enclosures:

Figure A-Proposed Route Map

Figure B-Palmetto Railways Alternative Analysis Map

Consultation Questionnaire

CONSULTATION QUESTIONNAIRE

Russell Townsend

Docket No. FD 36095, Palmetto Railways—Construction and Operation Exemption—In Berkeley County, South Carolina; Preliminary Consultation

Project Name: Palmetto Railways' proposed rail line in Berkeley County, South Carolina

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Name of the designated contact for Palmetto Railways' proposed rail line:

_____ Phone: _____

Please Print Name

E-mail: _____

Signed: _____ Date: _____

Please mail to: Ms. Diana Wood
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Surface Transportation Board
c/o ICF
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Fairfax, VA 22031

Or email to: Diana.Wood@stb.gov

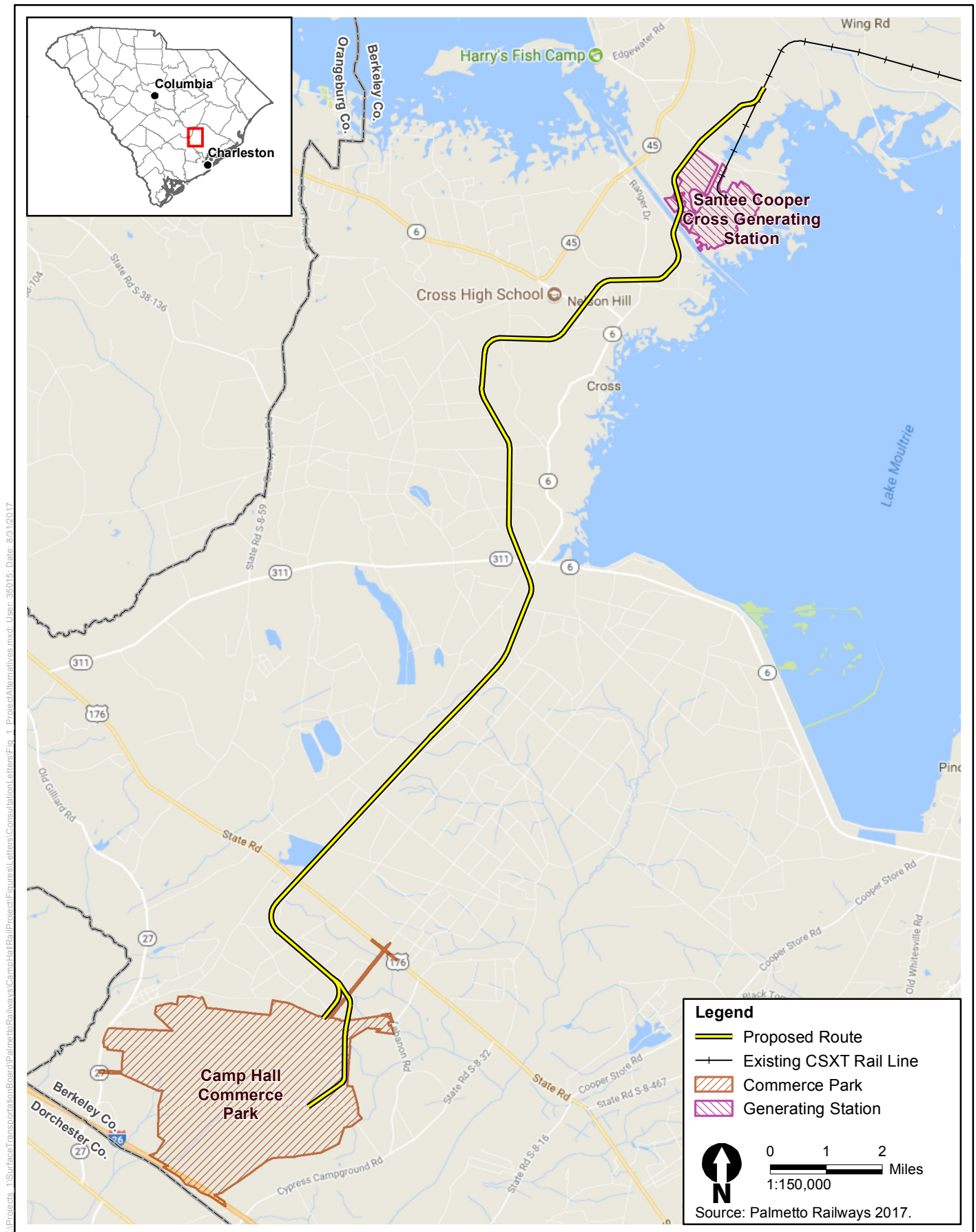


Figure A
Palmetto Railways Proposed Route





SURFACE TRANSPORTATION BOARD
Washington, DC 20423
Office of Environmental Analysis

September 8, 2017

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

RE: STB Finance Docket No. 36095, Palmetto Railways—Construction and Operation Exemption—In Berkeley County, South Carolina; Preliminary Consultation

Dear Ms. Dushane:

On August 3, 2017 the 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 Surface Transportation Board's (Board) Office of Environmental Analysis (OEA) and the United States Army Corps of Engineers (Corps), Charleston District, are beginning the environmental review of the proposed rail line construction project in compliance with the National Environmental Policy Act and related laws and regulations.

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The area is primarily covered by forests, forested wetlands, and open water. The proposed rail line crosses US Highway 176, SC Highway 311, and Old Highway 6, 15 secondary

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The proposed project is intended to bring rail service to the industrial park, to support the area's infrastructure needs and to alleviate highway congestion involving large commercial trucks in the area.

Environmental Review Process

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September 8, 2017

Page 3

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Ms. Diana Wood
Surface Transportation Board
Docket No. FD 36095
c/o ICF
9300 Lee Highway
Fairfax, VA 22031

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Sincerely,

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Victoria Rutson
Director
Office of Environmental Analysis

Enclosures:

Figure A-Proposed Route Map

Figure B-Palmetto Railways Alternative Analysis Map

Consultation Questionnaire

CONSULTATION QUESTIONNAIRE

Robin Dushane

Docket No. FD 36095, Palmetto Railways—Construction and Operation Exemption—In Berkeley County, South Carolina; Preliminary Consultation

Project Name: Palmetto Railways' proposed rail line in Berkeley County, South Carolina

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_____ Phone: _____

Please Print Name

E-mail: _____

Signed: _____ Date: _____

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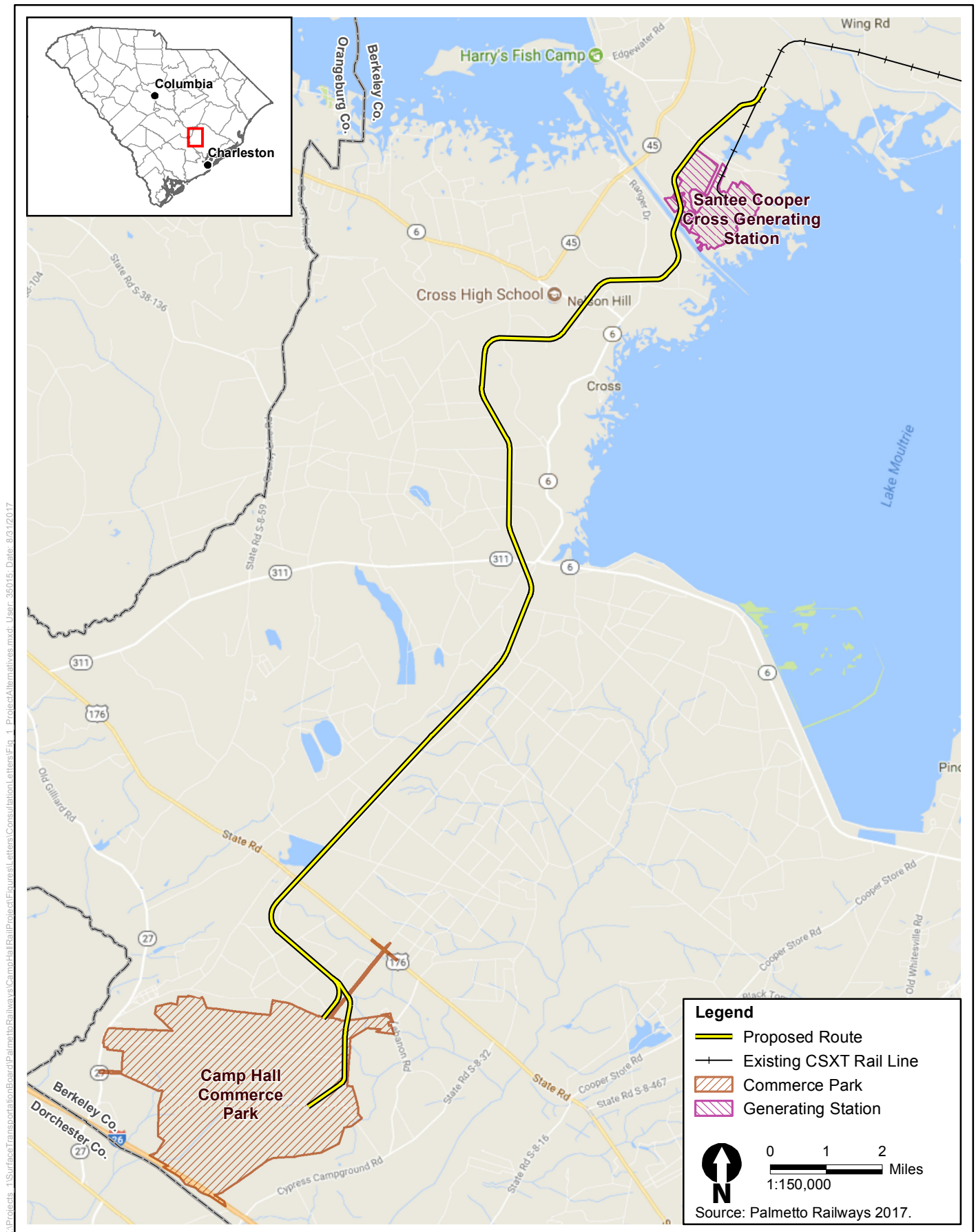


Figure A
Palmetto Railways Proposed Route



Figure B

Palmetto Railways Alternatives Analysis Map



SURFACE TRANSPORTATION BOARD
Washington, DC 20423
Office of Environmental Analysis

September 8, 2017

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

RE: STB Finance Docket No. 36095, Palmetto Railways—Construction and Operation Exemption—In Berkeley County, South Carolina; Preliminary Consultation

Dear Corain Lowe-Zepeda:

On August 3, 2017 the 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 Surface Transportation Board's (Board) Office of Environmental Analysis (OEA) and the United States Army Corps of Engineers (Corps), Charleston District, are beginning the environmental review of the proposed rail line construction project in compliance with the National Environmental Policy Act and related laws and regulations.

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Victoria Rutson
Director
Office of Environmental Analysis

Enclosures:

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Figure B-Palmetto Railways Alternative Analysis Map

Consultation Questionnaire

CONSULTATION QUESTIONNAIRE

Corain Lowe-Zepeda

Docket No. FD 36095, Palmetto Railways—Construction and Operation Exemption—In Berkeley County, South Carolina; Preliminary Consultation

Project Name: Palmetto Railways' proposed rail line in Berkeley County, South Carolina

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Please Print Name

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Signed: _____ Date: _____

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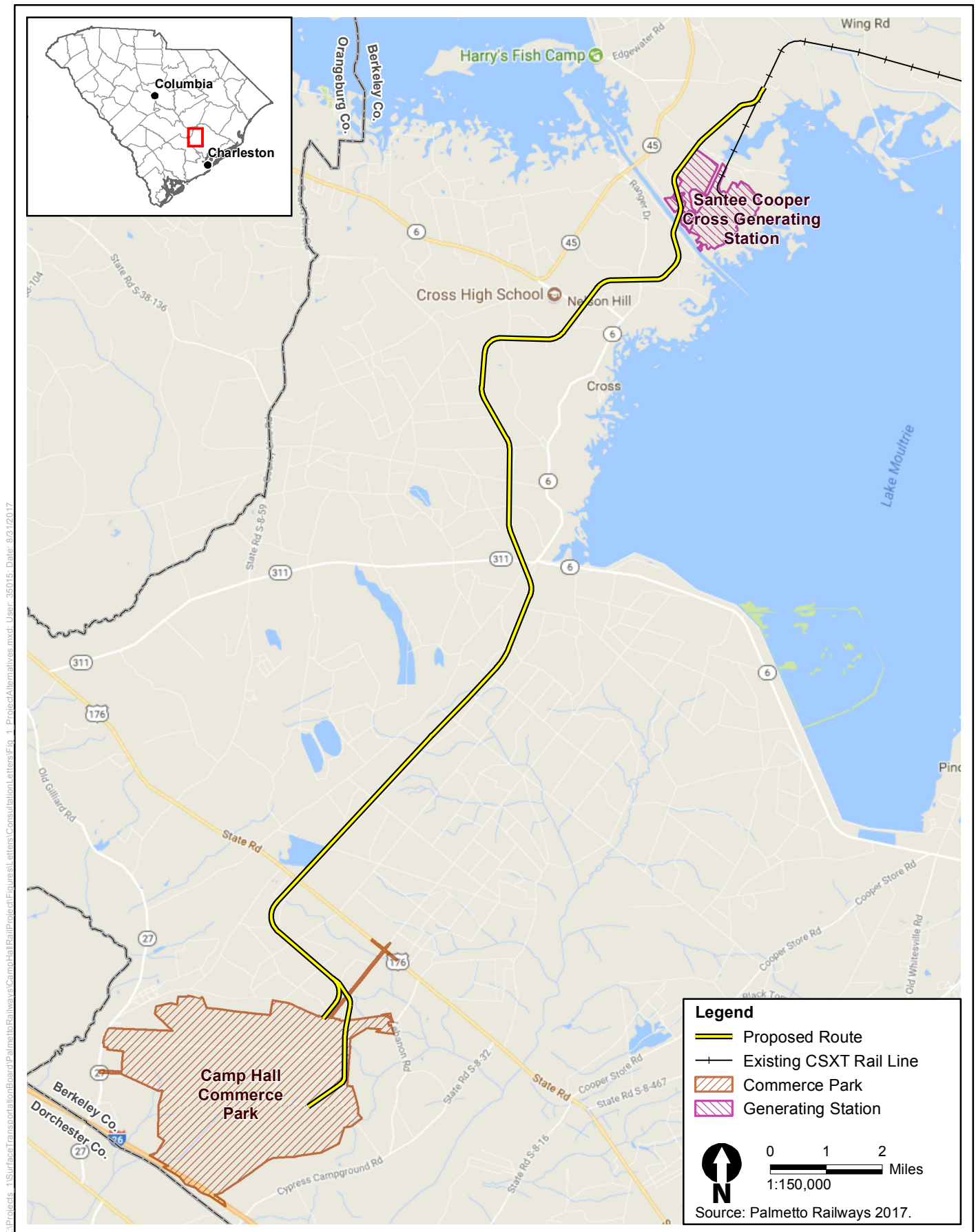


Figure A
Palmetto Railways Proposed Route





SURFACE TRANSPORTATION BOARD
Washington, DC 20423
Office of Environmental Analysis

September 8, 2017

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

**RE: STB Finance Docket No. 36095, Palmetto Railways—Construction and Operation
Exemption—In Berkeley County, South Carolina; Preliminary Consultation**

Dear Mr. Bunch:

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Victoria Rutson
Director
Office of Environmental Analysis

Enclosures:

Figure A-Proposed Route Map

Figure B-Palmetto Railways Alternative Analysis Map

Consultation Questionnaire

CONSULTATION QUESTIONNAIRE

Joe Bunch

Docket No. FD 36095, Palmetto Railways—Construction and Operation Exemption—In Berkeley County, South Carolina; Preliminary Consultation

Project Name: Palmetto Railways' proposed rail line in Berkeley County, South Carolina

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Please Print Name

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Signed: _____ Date: _____

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Figure A
Palmetto Railways Proposed Route



Figure B
Palmetto Railways Alternatives Analysis Map



SURFACE TRANSPORTATION BOARD
Washington, DC 20423
Office of Environmental Analysis

October 12, 2017

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

RE: STB Finance Docket No. 36095, Palmetto Railways—Construction and Operation Exemption—In Berkeley County, South Carolina; Preliminary Consultation

Dear Ms. Collins:

On August 3, 2017 the 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 Surface Transportation Board's (Board) Office of Environmental Analysis (OEA) and the United States Army Corps of Engineers (Corps), Charleston District, are beginning the environmental review of the proposed rail line construction project in compliance with the National Environmental Policy Act and related laws and regulations.

The purpose of this letter is to advise you of the proposed rail line project and request information from your tribe on resources that could be affected by the proposed project.

Project Background

The proposed rail line would be a short-line rail track that begins at a new connection to the A-Line of CSX Transportation (CSXT) (through the CSXT Cross Subdivision connection), and ends within the Camp Hall Commerce Park, an industrial park currently under development in Ridgeville near Interstate 26. The connection to CSXT would occur on the Santee Cooper property adjacent to its Cross Generating Station, and would cross the Diversion Canal between Lake Marion and Lake Moultrie, running south-southwest. South of the Diversion Canal, the right-of-way traverses the unincorporated rural community of Cross. Beyond the Cross community, the proposed line passes through a mix of commercial, residential and silvicultural properties before reaching the Camp Hall Commerce Park.

The area is primarily covered by forests, forested wetlands, and open water. The proposed rail line crosses US Highway 176, SC Highway 311, and Old Highway 6, 15 secondary

roads and 21 minor forestry/agricultural roads. The entire line would be located within Berkeley County. See Figure A, which shows Palmetto Railways' proposed route in the "Cross Corridor" that Palmetto Railways developed as part of its Alternative Analysis, and Figure B, which depicts the additional alternatives studied by Palmetto Railways.

The proposed project is intended to bring rail service to the industrial park, to support the area's infrastructure needs and to alleviate highway congestion involving large commercial trucks in the area.

Environmental Review Process

OEA and the Corps will work as joint-lead agencies to evaluate the potential environmental effects of the proposed project, including any reasonable and feasible alternatives to the proposed route 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 C.F.R. § 1105, the Corps' permitting authority under Section 404(b)(1) of the Clean Water Act (40 CFR Part 230), and other applicable federal and state laws.

This letter begins the process by which OEA and the Corps will assess the potential environmental effects, both positive and negative, that may be associated with the proposed rail line construction and operation. We appreciate your assistance in identifying whether any resources of concern to your tribe may be affected by the proposed project and welcome information on any additional issues or concerns that you consider appropriate.

To assist in your review of the proposed project, please review the additional information filed by the Applicant in support of its proposal. This information may be found on the Board and Corps' Project website at www.CampHallRailNEPA.com.

Request for Comments

The Board is also interested in knowing whether your tribe is interested in consulting with us regarding the broader range of impacts assessed under NEPA including those to tribal lands and resources. To assist you in your response, I have attached a questionnaire regarding any future involvement your tribe may want in the overall NEPA process. We respectfully request you complete the questionnaire and return it by **November 12, 2017**, so that we may be able to schedule any meetings, site visits, or surveys; conduct necessary follow-up activities; and incorporate your response into the scope of study, as appropriate. The Board will also be initiating consultation with Consulting Parties under the National Historic Preservation Act, including any tribe that attaches religious and cultural significance to historic properties that may be affected by this undertaking.

Please send your written comments to Diana Wood, OEA's Project Manager for the environmental analysis, by email at Diana.Wood@stb.gov, or by mail to:

Ms. Diana Wood
Surface Transportation Board
Docket No. FD 36095
c/o ICF
9300 Lee Highway
Fairfax, VA 22031

You may also submit comments electronically through the Board's Web site at www.stb.gov by clicking on the "E-Filing" quick link on the right-hand side of the home page and then selecting "Environmental Comments." Brief comments may be typed within the comment field provided, or alternatively, you may attach comments as Microsoft Word or Adobe Acrobat files.

We look forward to your participation in the environmental review process. If you have any questions or would like to arrange a call, please feel free to contact Diana Wood by phone at 202-245-0302 or by email at Diana.Wood@stb.gov or the Corps' project manager, Courtney Stevens by phone at 843-329-8027 or by email at Courtney.M.Stevens@usace.army.mil.

Sincerely,

A handwritten signature in black ink, appearing to read "Victoria Rutson".

Victoria Rutson
Director
Office of Environmental Analysis

Enclosures:

Figure A-Proposed Route Map

Figure B-Palmetto Railways Alternative Analysis Map

Consultation Questionnaire

CONSULTATION QUESTIONNAIRE

Lisa Collins

Docket No. FD 36095, Palmetto Railways—Construction and Operation Exemption—In Berkeley County, South Carolina; Preliminary Consultation

Project Name: Palmetto Railways' proposed rail line in Berkeley County, South Carolina

Please check all the appropriate response(s) that apply from the list below and use the back of this form or additional sheets if you wish to make comments:

- _____ We have no interests associated with Palmetto Railways' proposed rail line and further consultation with our Tribe is not required.
- _____ We want to continue to receive project information by email and participate in the public involvement process.
- _____ We want to continue to receive project information by U.S. mail and participate in the public involvement process.
- _____ We have an interest in Palmetto Railways' proposed rail line and want to participate in government-to-government consultation.

Name of the designated contact for Palmetto Railways' proposed rail line:

_____ Phone: _____

Please Print Name

E-mail: _____

Signed: _____ Date: _____

Please mail to: Ms. Diana Wood
Docket No. FD 36095
Surface Transportation Board
c/o ICF
9300 Lee Highway
Fairfax, VA 22031

Or email to: Diana.Wood@stb.gov

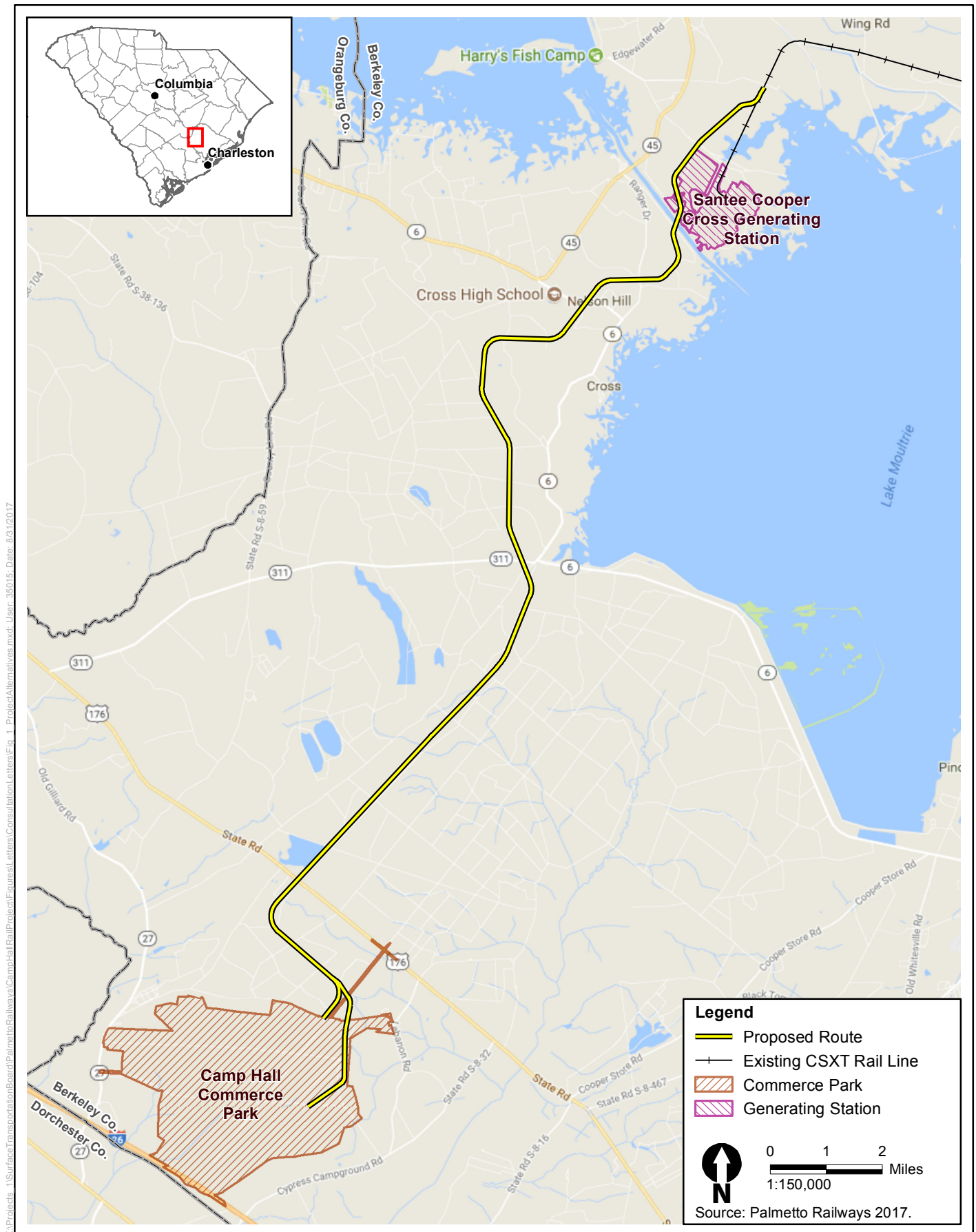


Figure A
Palmetto Railways Proposed Route



From: Section106 [<mailto:Section106@mcn-nsn.gov>]

Sent: Friday, September 29, 2017 9:21 AM

To: Wood, Diana <Diana.Wood@stb.gov>

Subject: STB Finance Docket No. 36095, Palmetto Railways-Construction and Operation Exemption-in Berkeley County, South Carolina; Preliminary Consultation

RE: STB Finance Docket No. 36095, Palmetto Railways-Construction and Operation Exemption-in Berkeley County, South Carolina; Preliminary Consultation

Ms. Wood,

Thank you for contacting the Muscogee (Creek) Nation concerning the above referenced project. This project is located within our historic area of interest and is of importance to us. We appreciate that you are contacting us early on in the process as this aids in getting our concerns to you. First, we would like to state that the Muscogee (Creek) Nation would like to participate in all aspects of the consultation process which includes government-to-government consultation. Please continue to send information concerning the project to us through email, section106@mcn-nsn.gov.

Also, we were wondering if any archaeological surveys had been conducted across the area for the proposed railway construction? Has the South Carolina SHPO been contacted concerning surveys within the area? Our office has to have an archaeological survey of the area to make our determination.

Again, we appreciate being contacted concerning this project. Should further information or comment be needed, please do not hesitate to contact me at (918) 732-7852 or by email at lwendt@mcn-nsn.gov.

Regards,
LeeAnne Wendt

LeeAnne Wendt, M.A., RPA
Historic and Cultural Preservation Department, Tribal Archaeologist
Muscogee (Creek) Nation
P.O. Box 580 / Okmulgee, OK 74447
T 918.732.7852
F 918.758.0649
lwendt@MCN-nsn.gov
<http://www.muscogeenation-nsn.gov/>

CONSULTATION QUESTIONNAIRE

Wenonah Haire

Docket No. FD 36095, Palmetto Railways—Construction and Operation Exemption—In Berkeley County, South Carolina; Preliminary Consultation

Project Name: Palmetto Railways' proposed rail line in Berkeley County, South Carolina

Please check all the appropriate response(s) that apply from the list below and use the back of this form or additional sheets if you wish to make comments:

- ☐ We have no interests associated with Palmetto Railways' proposed rail line and further consultation with our Tribe is not required.
- ☐ We want to continue to receive project information by email and participate in the public involvement process.
- ☐ We want to continue to receive project information by U.S. mail and participate in the public involvement process.
- ☒ We have an interest in Palmetto Railways' proposed rail line and want to participate in government-to-government consultation.

We want Archaeological surveys in all areas of where ground disturbance will be new or deeper or wider than original disturbance

Name of the designated contact for Palmetto Railways' proposed rail line:

CATAWBA INDIAN NATION
TRIBAL HISTORIC PRESERVATION OFFICE
WENONAH G. HAIRE, DMD

Phone: 803-417-9057

Please Print Name

E-mail: _____

Signed: Wenonah G. Haire

Date: 9/15/17

Please mail to: Ms. Diana Wood
Docket No. FD 36095
Surface Transportation Board
c/o ICF
9300 Lee Highway
Fairfax, VA 22031

Or email to: Diana.Wood@stb.gov

Preliminary State and Local Consultation



SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Office of Environmental Analysis

September 8, 2017

Berkeley County
Danny Thrower
Manager
PO Box 6122
Moncks Corner, SC 29461

RE: STB Finance Docket No. 36095, Palmetto Railways—Construction and Operation Exemption—In Berkeley County, South Carolina; Preliminary Consultation

Dear Mr. Thrower:

On August 3, 2017 the 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 Surface Transportation Board's (Board) Office of Environmental Analysis (OEA) and the United States Army Corps of Engineers (Corps), Charleston District, are beginning the environmental review of the proposed rail line construction project in compliance with the National Environmental Policy Act and related laws and regulations.

The purpose of this letter is to advise you of the proposed rail line project, request information from your agency on the resources under your jurisdiction that could be affected by the proposed project, and identify permits and approvals that could be required of the Applicant.

Project Background

The proposed rail line would be a short-line rail track that begins at a new connection to the A-Line of CSX Transportation (CSXT) (through the CSXT Cross Subdivision connection), and ends within the Camp Hall Commerce Park, an industrial park currently under development in Ridgville and near Interstate 26. The connection to CSXT would occur on the Santee Cooper property adjacent to its Cross Generating Station, and would cross the Diversion Canal between Lake Marion and Lake Moultrie, running south-southwest. South of the Diversion Canal, the right-of-way traverses the unincorporated rural community of Cross. Beyond the Cross

community, the proposed line passes through a mix of commercial, residential and silvicultural properties before reaching the Camp Hall Commerce Park.

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The proposed project is intended to bring rail service to the industrial park, to support the area's infrastructure needs and to alleviate highway congestion involving large commercial trucks in the area.

Environmental Review Process

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This letter begins the process by which OEA and the Corps will assess the potential environmental effects, both positive and negative, that may be associated with the proposed rail line construction and operation. We appreciate your assistance in identifying whether any resources of concern to your agency may be affected by the proposed project and welcome information on any additional issues or concerns that you consider appropriate.

To assist in your review of the proposed project, please review the additional information filed by the Applicant in support of its proposal. This information may be found on the Board and Corps' Project website at www.CampHallRailNEPA.com.

Request for Comments

We would like to hear from you regarding whether any resources under your jurisdiction could be affected by the proposed project, and whether this proposal would require permitting or approval requirements from your agency. We request your response by **October 8, 2017**, so that we may be able to schedule any meetings, site visits, or surveys; conduct necessary follow-up activities; and incorporate your response into the scope of study, as appropriate.

Please send your written comments to Diana Wood, OEA's Project Manager for the environmental analysis, by email at Diana.Wood@stb.gov, or by mail to:

Ms. Diana Wood
Surface Transportation Board
Docket No. FD 36095
c/o ICF
9300 Lee Highway
Fairfax, VA 22031

You may also submit comments electronically through the Board's Web site at www.stb.gov by clicking on the "E-Filing" quick link on the right-hand side of the home page and then selecting "Environmental Comments." Brief comments may be typed within the comment field provided, or alternatively, you may attach comments as Microsoft Word or Adobe Acrobat files.

We look forward to your participation in the environmental review process. If you have any questions or would like to arrange a call, please feel free to contact Diana Wood by phone at 202-245-0302 or by email at Diana.Wood@stb.gov or the Corps' project manager, Courtney Stevens by phone at 843-329-8027 or by email at Courtney.M.Stevens@usace.army.mil.

Sincerely,

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

Victoria Rutson
Director
Office of Environmental Analysis

Enclosures:

Figure A-Proposed Route Map

Figure B-Palmetto Railways Alternatives Analysis Map



Figure A
Palmetto Railways Proposed Route





SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Office of Environmental Analysis

September 8, 2017

Berkeley County
David Taschner
Director
223 North Live Oak Drive
Moncks Corner, SC 29461

RE: STB Finance Docket No. 36095, Palmetto Railways—Construction and Operation Exemption—In Berkeley County, South Carolina; Preliminary Consultation

Dear Mr. Taschner:

On August 3, 2017 the 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 Surface Transportation Board's (Board) Office of Environmental Analysis (OEA) and the United States Army Corps of Engineers (Corps), Charleston District, are beginning the environmental review of the proposed rail line construction project in compliance with the National Environmental Policy Act and related laws and regulations.

The purpose of this letter is to advise you of the proposed rail line project, request information from your agency on the resources under your jurisdiction that could be affected by the proposed project, and identify permits and approvals that could be required of the Applicant.

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Request for Comments

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Surface Transportation Board
Docket No. FD 36095
c/o ICF
9300 Lee Highway
Fairfax, VA 22031

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We look forward to your participation in the environmental review process. If you have any questions or would like to arrange a call, please feel free to contact Diana Wood by phone at 202-245-0302 or by email at Diana.Wood@stb.gov or the Corps' project manager, Courtney Stevens by phone at 843-329-8027 or by email at Courtney.M.Stevens@usace.army.mil.

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Victoria Rutson
Director
Office of Environmental Analysis

Enclosures:

Figure A-Proposed Route Map

Figure B-Palmetto Railways Alternatives Analysis Map





Figure B
Palmetto Railways Alternatives Analysis Map



SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Office of Environmental Analysis

September 8, 2017

Berkeley County
Hank Jackson
Chief Building Official
1003 Us-52
Moncks Corner, SC 29461

RE: STB Finance Docket No. 36095, Palmetto Railways—Construction and Operation Exemption—In Berkeley County, South Carolina; Preliminary Consultation

Dear Mr. Jackson:

On August 3, 2017 the 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 Surface Transportation Board's (Board) Office of Environmental Analysis (OEA) and the United States Army Corps of Engineers (Corps), Charleston District, are beginning the environmental review of the proposed rail line construction project in compliance with the National Environmental Policy Act and related laws and regulations.

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Sincerely,

A handwritten signature in black ink, appearing to read "Victoria Rutson". The signature is fluid and cursive, with the first name "Victoria" and last name "Rutson" clearly distinguishable.

Victoria Rutson
Director
Office of Environmental Analysis

Enclosures:

Figure A-Proposed Route Map

Figure B-Palmetto Railways Alternatives Analysis Map



Figure A
Palmetto Railways Proposed Route



Figure B
Palmetto Railways Alternatives Analysis Map



SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Office of Environmental Analysis

September 8, 2017

Berkeley County
Wilson Baggett
Assessor
PO Box 6122
Moncks Corner, SC 29461

RE: STB Finance Docket No. 36095, Palmetto Railways—Construction and Operation Exemption—In Berkeley County, South Carolina; Preliminary Consultation

Dear Mr. Baggett:

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Director
Office of Environmental Analysis

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Figure B-Palmetto Railways Alternatives Analysis Map



Figure A
Palmetto Railways Proposed Route



Figure B

Palmetto Railways Alternatives Analysis Map



SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Office of Environmental Analysis

September 8, 2017

Berkeley County
S. Duane Lewis
Sherriff
PO Box 6122
Moncks Corner, SC 29461

RE: STB Finance Docket No. 36095, Palmetto Railways—Construction and Operation Exemption—In Berkeley County, South Carolina; Preliminary Consultation

Dear Mr. Lewis:

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The proposed rail line would be a short-line rail track that begins at a new connection to the A-Line of CSX Transportation (CSXT) (through the CSXT Cross Subdivision connection), and ends within the Camp Hall Commerce Park, an industrial park currently under development in Ridgville and near Interstate 26. The connection to CSXT would occur on the Santee Cooper property adjacent to its Cross Generating Station, and would cross the Diversion Canal between Lake Marion and Lake Moultrie, running south-southwest. South of the Diversion Canal, the right-of-way traverses the unincorporated rural community of Cross. Beyond the Cross

community, the proposed line passes through a mix of commercial, residential and silvicultural properties before reaching the Camp Hall Commerce Park.

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The proposed project is intended to bring rail service to the industrial park, to support the area's infrastructure needs and to alleviate highway congestion involving large commercial trucks in the area.

Environmental Review Process

OEA and the Corps will work as joint-lead agencies to evaluate the potential environmental effects of the proposed project, including any reasonable and feasible alternatives to the proposed route 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 C.F.R. § 1105, the Corps' permitting authority under Section 404(b)(1) of the Clean Water Act (40 CFR Part 230), and other applicable federal, and state laws.

This letter begins the process by which OEA and the Corps will assess the potential environmental effects, both positive and negative, that may be associated with the proposed rail line construction and operation. We appreciate your assistance in identifying whether any resources of concern to your agency may be affected by the proposed project and welcome information on any additional issues or concerns that you consider appropriate.

To assist in your review of the proposed project, please review the additional information filed by the Applicant in support of its proposal. This information may be found on the Board and Corps' Project website at www.CampHallRailNEPA.com.

Request for Comments

We would like to hear from you regarding whether any resources under your jurisdiction could be affected by the proposed project, and whether this proposal would require permitting or approval requirements from your agency. We request your response by **October 8, 2017**, so that we may be able to schedule any meetings, site visits, or surveys; conduct necessary follow-up activities; and incorporate your response into the scope of study, as appropriate.

Please send your written comments to Diana Wood, OEA's Project Manager for the environmental analysis, by email at Diana.Wood@stb.gov, or by mail to:

Ms. Diana Wood
Surface Transportation Board
Docket No. FD 36095
c/o ICF
9300 Lee Highway
Fairfax, VA 22031

You may also submit comments electronically through the Board's Web site at www.stb.gov by clicking on the "E-Filing" quick link on the right-hand side of the home page and then selecting "Environmental Comments." Brief comments may be typed within the comment field provided, or alternatively, you may attach comments as Microsoft Word or Adobe Acrobat files.

We look forward to your participation in the environmental review process. If you have any questions or would like to arrange a call, please feel free to contact Diana Wood by phone at 202-245-0302 or by email at Diana.Wood@stb.gov or the Corps' project manager, Courtney Stevens by phone at 843-329-8027 or by email at Courtney.M.Stevens@usace.army.mil.

Sincerely,

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Victoria Rutson
Director
Office of Environmental Analysis

Enclosures:

Figure A-Proposed Route Map

Figure B-Palmetto Railways Alternatives Analysis Map



Figure A
Palmetto Railways Proposed Route



Figure B
Palmetto Railways Alternatives Analysis Map



SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Office of Environmental Analysis

September 8, 2017

Berkeley County
Alison Simmons AICP
Planning and Zoning Director
PO Box 6122
Moncks Corner, SC 29461

RE: STB Finance Docket No. 36095, Palmetto Railways—Construction and Operation Exemption—In Berkeley County, South Carolina; Preliminary Consultation

Dear Ms. Simmons:

On August 3, 2017 the 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 Surface Transportation Board's (Board) Office of Environmental Analysis (OEA) and the United States Army Corps of Engineers (Corps), Charleston District, are beginning the environmental review of the proposed rail line construction project in compliance with the National Environmental Policy Act and related laws and regulations.

The purpose of this letter is to advise you of the proposed rail line project, request information from your agency on the resources under your jurisdiction that could be affected by the proposed project, and identify permits and approvals that could be required of the Applicant.

Project Background

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Environmental Review Process

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To assist in your review of the proposed project, please review the additional information filed by the Applicant in support of its proposal. This information may be found on the Board and Corps' Project website at www.CampHallRailNEPA.com.

Request for Comments

We would like to hear from you regarding whether any resources under your jurisdiction could be affected by the proposed project, and whether this proposal would require permitting or approval requirements from your agency. We request your response by **October 8, 2017**, so that we may be able to schedule any meetings, site visits, or surveys; conduct necessary follow-up activities; and incorporate your response into the scope of study, as appropriate.

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Ms. Diana Wood
Surface Transportation Board
Docket No. FD 36095
c/o ICF
9300 Lee Highway
Fairfax, VA 22031

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Victoria Rutson
Director
Office of Environmental Analysis

Enclosures:

Figure A-Proposed Route Map

Figure B-Palmetto Railways Alternatives Analysis Map



Figure A
Palmetto Railways Proposed Route



Figure B

Palmetto Railways Alternatives Analysis Map



SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Office of Environmental Analysis

September 8, 2017

Berkeley County Water and Sanitation
Doug Smits
Executive Director
212 Oakley Plantation Dr
Moncks Corner, SC 29461

RE: STB Finance Docket No. 36095, Palmetto Railways—Construction and Operation Exemption—In Berkeley County, South Carolina; Preliminary Consultation

Dear Mr. Smits:

On August 3, 2017 the 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 Surface Transportation Board's (Board) Office of Environmental Analysis (OEA) and the United States Army Corps of Engineers (Corps), Charleston District, are beginning the environmental review of the proposed rail line construction project in compliance with the National Environmental Policy Act and related laws and regulations.

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Request for Comments

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Surface Transportation Board
Docket No. FD 36095
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Victoria Rutson
Director
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Enclosures:

Figure A-Proposed Route Map

Figure B-Palmetto Railways Alternatives Analysis Map



Figure A
Palmetto Railways Proposed Route





SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Office of Environmental Analysis

September 8, 2017

Berkeley-Charleston-Dorchester Council of Governments
Ron Mitchum
Executive Director
1362 McMillan Ave
North Charleston, SC 29405

RE: STB Finance Docket No. 36095, Palmetto Railways—Construction and Operation Exemption—In Berkeley County, South Carolina; Preliminary Consultation

Dear Mr. Mitchum:

On August 3, 2017 the 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 Surface Transportation Board's (Board) Office of Environmental Analysis (OEA) and the United States Army Corps of Engineers (Corps), Charleston District, are beginning the environmental review of the proposed rail line construction project in compliance with the National Environmental Policy Act and related laws and regulations.

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Victoria Rutson
Director
Office of Environmental Analysis

Enclosures:

Figure A-Proposed Route Map

Figure B-Palmetto Railways Alternatives Analysis Map



Figure A
Palmetto Railways Proposed Route





SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Office of Environmental Analysis

September 8, 2017

Cross Rural Fire Department
Marvin Achterhof
Battalion Chief
821 S & S Campground Lane
Cross, SC 29436

RE: STB Finance Docket No. 36095, Palmetto Railways—Construction and Operation Exemption—In Berkeley County, South Carolina; Preliminary Consultation

Dear Mr. Achterhof:

On August 3, 2017 the 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 Surface Transportation Board's (Board) Office of Environmental Analysis (OEA) and the United States Army Corps of Engineers (Corps), Charleston District, are beginning the environmental review of the proposed rail line construction project in compliance with the National Environmental Policy Act and related laws and regulations.

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Director
Office of Environmental Analysis

Enclosures:

Figure A-Proposed Route Map

Figure B-Palmetto Railways Alternatives Analysis Map



Figure A
Palmetto Railways Proposed Route



Figure B

Palmetto Railways Alternatives Analysis Map



SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Office of Environmental Analysis

September 8, 2017

Cross Rural Fire Department
Clayton Cole Jr.
Fire Chief
1007 Shortcut Rd
Cross, SC 29436

RE: STB Finance Docket No. 36095, Palmetto Railways—Construction and Operation Exemption—In Berkeley County, South Carolina; Preliminary Consultation

Dear Mr. Cole:

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Director
Office of Environmental Analysis

Enclosures:

Figure A-Proposed Route Map

Figure B-Palmetto Railways Alternatives Analysis Map



Figure A
Palmetto Railways Proposed Route



Figure B
Palmetto Railways Alternatives Analysis Map



SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Office of Environmental Analysis

September 8, 2017

Santee Cooper
Sam Bennett
Vice President of Administration
1 Riverwood Dr
Moncks Corner, SC 29461

RE: STB Finance Docket No. 36095, Palmetto Railways—Construction and Operation Exemption—In Berkeley County, South Carolina; Preliminary Consultation

Dear Mr. Bennett:

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The proposed project is intended to bring rail service to the industrial park, to support the area's infrastructure needs and to alleviate highway congestion involving large commercial trucks in the area.

Environmental Review Process

OEA and the Corps will work as joint-lead agencies to evaluate the potential environmental effects of the proposed project, including any reasonable and feasible alternatives to the proposed route 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 C.F.R. § 1105, the Corps' permitting authority under Section 404(b)(1) of the Clean Water Act (40 CFR Part 230), and other applicable federal, and state laws.

This letter begins the process by which OEA and the Corps will assess the potential environmental effects, both positive and negative, that may be associated with the proposed rail line construction and operation. We appreciate your assistance in identifying whether any resources of concern to your agency may be affected by the proposed project and welcome information on any additional issues or concerns that you consider appropriate.

To assist in your review of the proposed project, please review the additional information filed by the Applicant in support of its proposal. This information may be found on the Board and Corps' Project website at www.CampHallRailNEPA.com.

Request for Comments

We would like to hear from you regarding whether any resources under your jurisdiction could be affected by the proposed project, and whether this proposal would require permitting or approval requirements from your agency. We request your response by **October 8, 2017**, so that we may be able to schedule any meetings, site visits, or surveys; conduct necessary follow-up activities; and incorporate your response into the scope of study, as appropriate.

Please send your written comments to Diana Wood, OEA's Project Manager for the environmental analysis, by email at Diana.Wood@stb.gov, or by mail to:

Ms. Diana Wood
Surface Transportation Board
Docket No. FD 36095
c/o ICF
9300 Lee Highway
Fairfax, VA 22031

You may also submit comments electronically through the Board's Web site at www.stb.gov by clicking on the "E-Filing" quick link on the right-hand side of the home page and then selecting "Environmental Comments." Brief comments may be typed within the comment field provided, or alternatively, you may attach comments as Microsoft Word or Adobe Acrobat files.

We look forward to your participation in the environmental review process. If you have any questions or would like to arrange a call, please feel free to contact Diana Wood by phone at 202-245-0302 or by email at Diana.Wood@stb.gov or the Corps' project manager, Courtney Stevens by phone at 843-329-8027 or by email at Courtney.M.Stevens@usace.army.mil.

Sincerely,

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Victoria Rutson
Director
Office of Environmental Analysis

Enclosures:

Figure A-Proposed Route Map

Figure B-Palmetto Railways Alternatives Analysis Map



Figure A
Palmetto Railways Proposed Route



Figure B
Palmetto Railways Alternatives Analysis Map



SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Office of Environmental Analysis

September 8, 2017

South Carolina Department of Agriculture
Hugh Weathers
Commissioner
Po Box 11280
Columbia, SC 29211

RE: STB Finance Docket No. 36095, Palmetto Railways—Construction and Operation Exemption—In Berkeley County, South Carolina; Preliminary Consultation

Dear Mr. Weathers:

On August 3, 2017 the 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 Surface Transportation Board's (Board) Office of Environmental Analysis (OEA) and the United States Army Corps of Engineers (Corps), Charleston District, are beginning the environmental review of the proposed rail line construction project in compliance with the National Environmental Policy Act and related laws and regulations.

The purpose of this letter is to advise you of the proposed rail line project, request information from your agency on the resources under your jurisdiction that could be affected by the proposed project, and identify permits and approvals that could be required of the Applicant.

Project Background

The proposed rail line would be a short-line rail track that begins at a new connection to the A-Line of CSX Transportation (CSXT) (through the CSXT Cross Subdivision connection), and ends within the Camp Hall Commerce Park, an industrial park currently under development in Ridgville and near Interstate 26. The connection to CSXT would occur on the Santee Cooper property adjacent to its Cross Generating Station, and would cross the Diversion Canal between Lake Marion and Lake Moultrie, running south-southwest. South of the Diversion Canal, the right-of-way traverses the unincorporated rural community of Cross. Beyond the Cross

community, the proposed line passes through a mix of commercial, residential and silvicultural properties before reaching the Camp Hall Commerce Park.

The area is primarily covered by forests, forested wetlands, and open water. The proposed rail line crosses US Highway 176, SC Highway 311, and Old Highway 6, 15 secondary roads and 21 minor forestry/agricultural roads. The entire line would be located within Berkeley County. See Figure A, which shows Palmetto Railways' proposed route in the "Cross Corridor" that Palmetto Railways developed as part of its Alternative Analysis and Figure B, which depicts the additional alternatives studied by Palmetto Railways.

The proposed project is intended to bring rail service to the industrial park, to support the area's infrastructure needs and to alleviate highway congestion involving large commercial trucks in the area.

Environmental Review Process

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This letter begins the process by which OEA and the Corps will assess the potential environmental effects, both positive and negative, that may be associated with the proposed rail line construction and operation. We appreciate your assistance in identifying whether any resources of concern to your agency may be affected by the proposed project and welcome information on any additional issues or concerns that you consider appropriate.

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Request for Comments

We would like to hear from you regarding whether any resources under your jurisdiction could be affected by the proposed project, and whether this proposal would require permitting or approval requirements from your agency. We request your response by **October 8, 2017**, so that we may be able to schedule any meetings, site visits, or surveys; conduct necessary follow-up activities; and incorporate your response into the scope of study, as appropriate.

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Ms. Diana Wood
Surface Transportation Board
Docket No. FD 36095
c/o ICF
9300 Lee Highway
Fairfax, VA 22031

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We look forward to your participation in the environmental review process. If you have any questions or would like to arrange a call, please feel free to contact Diana Wood by phone at 202-245-0302 or by email at Diana.Wood@stb.gov or the Corps' project manager, Courtney Stevens by phone at 843-329-8027 or by email at Courtney.M.Stevens@usace.army.mil.

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Victoria Rutson
Director
Office of Environmental Analysis

Enclosures:

Figure A-Proposed Route Map

Figure B-Palmetto Railways Alternatives Analysis Map



Figure A
Palmetto Railways Proposed Route



Figure B

Palmetto Railways Alternatives Analysis Map



SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Office of Environmental Analysis

September 8, 2017

South Carolina Department of Commerce
Robert Hitt III
Secretary of Commerce
1201 Main Street, Suite 1600
Columbia, SC 29201-3200

RE: STB Finance Docket No. 36095, Palmetto Railways—Construction and Operation Exemption—In Berkeley County, South Carolina; Preliminary Consultation

Dear Mr. Hitt:

On August 3, 2017 the 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 Surface Transportation Board's (Board) Office of Environmental Analysis (OEA) and the United States Army Corps of Engineers (Corps), Charleston District, are beginning the environmental review of the proposed rail line construction project in compliance with the National Environmental Policy Act and related laws and regulations.

The purpose of this letter is to advise you of the proposed rail line project, request information from your agency on the resources under your jurisdiction that could be affected by the proposed project, and identify permits and approvals that could be required of the Applicant.

Project Background

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To assist in your review of the proposed project, please review the additional information filed by the Applicant in support of its proposal. This information may be found on the Board and Corps' Project website at www.CampHallRailNEPA.com.

Request for Comments

We would like to hear from you regarding whether any resources under your jurisdiction could be affected by the proposed project, and whether this proposal would require permitting or approval requirements from your agency. We request your response by **October 8, 2017**, so that we may be able to schedule any meetings, site visits, or surveys; conduct necessary follow-up activities; and incorporate your response into the scope of study, as appropriate.

Please send your written comments to Diana Wood, OEA's Project Manager for the environmental analysis, by email at Diana.Wood@stb.gov, or by mail to:

Ms. Diana Wood
Surface Transportation Board
Docket No. FD 36095
c/o ICF
9300 Lee Highway
Fairfax, VA 22031

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We look forward to your participation in the environmental review process. If you have any questions or would like to arrange a call, please feel free to contact Diana Wood by phone at 202-245-0302 or by email at Diana.Wood@stb.gov or the Corps' project manager, Courtney Stevens by phone at 843-329-8027 or by email at Courtney.M.Stevens@usace.army.mil.

Sincerely,

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Victoria Rutson
Director
Office of Environmental Analysis

Enclosures:

Figure A-Proposed Route Map

Figure B-Palmetto Railways Alternatives Analysis Map



Figure A
Palmetto Railways Proposed Route



Figure B

Palmetto Railways Alternatives Analysis Map



SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Office of Environmental Analysis

September 8, 2017

South Carolina Department of Health and Environmental Control
Myra Reece
Director of Environmental Affairs
2600 Bull St
Columbia, SC 29201

RE: STB Finance Docket No. 36095, Palmetto Railways—Construction and Operation Exemption—In Berkeley County, South Carolina; Preliminary Consultation

Dear Ms. Reece:

On August 3, 2017 the 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 Surface Transportation Board's (Board) Office of Environmental Analysis (OEA) and the United States Army Corps of Engineers (Corps), Charleston District, are beginning the environmental review of the proposed rail line construction project in compliance with the National Environmental Policy Act and related laws and regulations.

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Project Background

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Environmental Review Process

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Request for Comments

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Ms. Diana Wood
Surface Transportation Board
Docket No. FD 36095
c/o ICF
9300 Lee Highway
Fairfax, VA 22031

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We look forward to your participation in the environmental review process. If you have any questions or would like to arrange a call, please feel free to contact Diana Wood by phone at 202-245-0302 or by email at Diana.Wood@stb.gov or the Corps' project manager, Courtney Stevens by phone at 843-329-8027 or by email at Courtney.M.Stevens@usace.army.mil.

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Victoria Rutson
Director
Office of Environmental Analysis

Enclosures:

Figure A-Proposed Route Map

Figure B-Palmetto Railways Alternatives Analysis Map



Figure A
Palmetto Railways Proposed Route



Figure B
Palmetto Railways Alternatives Analysis Map



SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Office of Environmental Analysis

September 8, 2017

South Carolina Department of Health and Environmental Control
Blair Williams
Manager, Wetland Permitting Section
2600 Bull St
Columbia, SC 29201

RE: STB Finance Docket No. 36095, Palmetto Railways—Construction and Operation Exemption—In Berkeley County, South Carolina; Preliminary Consultation

Dear Blair Williams:

On August 3, 2017 the 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 Surface Transportation Board's (Board) Office of Environmental Analysis (OEA) and the United States Army Corps of Engineers (Corps), Charleston District, are beginning the environmental review of the proposed rail line construction project in compliance with the National Environmental Policy Act and related laws and regulations.

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Victoria Rutson
Director
Office of Environmental Analysis

Enclosures:

Figure A-Proposed Route Map

Figure B-Palmetto Railways Alternatives Analysis Map



Figure A
Palmetto Railways Proposed Route



Figure B
Palmetto Railways Alternatives Analysis Map



SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Office of Environmental Analysis

September 8, 2017

South Carolina Department of Health and Environmental Control
Catherine Heigel
Director
2600 Bull St
Columbia, SC 29201

RE: STB Finance Docket No. 36095, Palmetto Railways—Construction and Operation Exemption—In Berkeley County, South Carolina; Preliminary Consultation

Dear Ms. Heigel:

On August 3, 2017 the 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 Surface Transportation Board's (Board) Office of Environmental Analysis (OEA) and the United States Army Corps of Engineers (Corps), Charleston District, are beginning the environmental review of the proposed rail line construction project in compliance with the National Environmental Policy Act and related laws and regulations.

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Victoria Rutson
Director
Office of Environmental Analysis

Enclosures:

Figure A-Proposed Route Map

Figure B-Palmetto Railways Alternatives Analysis Map





Figure B
Palmetto Railways Alternatives Analysis Map



SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Office of Environmental Analysis

September 8, 2017

South Carolina Department of Natural Resources
Susan Davis
Coastal Environmental Coordinator
PO Box 12559
Charleston, SC 29412

RE: STB Finance Docket No. 36095, Palmetto Railways—Construction and Operation Exemption—In Berkeley County, South Carolina; Preliminary Consultation

Dear Ms. Davis:

On August 3, 2017 the 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 Surface Transportation Board's (Board) Office of Environmental Analysis (OEA) and the United States Army Corps of Engineers (Corps), Charleston District, are beginning the environmental review of the proposed rail line construction project in compliance with the National Environmental Policy Act and related laws and regulations.

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This letter begins the process by which OEA and the Corps will assess the potential environmental effects, both positive and negative, that may be associated with the proposed rail line construction and operation. We appreciate your assistance in identifying whether any resources of concern to your agency may be affected by the proposed project and welcome information on any additional issues or concerns that you consider appropriate.

To assist in your review of the proposed project, please review the additional information filed by the Applicant in support of its proposal. This information may be found on the Board and Corps' Project website at www.CampHallRailNEPA.com.

Request for Comments

We would like to hear from you regarding whether any resources under your jurisdiction could be affected by the proposed project, and whether this proposal would require permitting or approval requirements from your agency. We request your response by **October 8, 2017**, so that we may be able to schedule any meetings, site visits, or surveys; conduct necessary follow-up activities; and incorporate your response into the scope of study, as appropriate.

Please send your written comments to Diana Wood, OEA's Project Manager for the environmental analysis, by email at Diana.Wood@stb.gov, or by mail to:

Ms. Diana Wood
Surface Transportation Board
Docket No. FD 36095
c/o ICF
9300 Lee Highway
Fairfax, VA 22031

You may also submit comments electronically through the Board's Web site at www.stb.gov by clicking on the "E-Filing" quick link on the right-hand side of the home page and then selecting "Environmental Comments." Brief comments may be typed within the comment field provided, or alternatively, you may attach comments as Microsoft Word or Adobe Acrobat files.

We look forward to your participation in the environmental review process. If you have any questions or would like to arrange a call, please feel free to contact Diana Wood by phone at 202-245-0302 or by email at Diana.Wood@stb.gov or the Corps' project manager, Courtney Stevens by phone at 843-329-8027 or by email at Courtney.M.Stevens@usace.army.mil.

Sincerely,

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Victoria Rutson
Director
Office of Environmental Analysis

Enclosures:

Figure A-Proposed Route Map

Figure B-Palmetto Railways Alternatives Analysis Map



Figure A
Palmetto Railways Proposed Route



Figure B
Palmetto Railways Alternatives Analysis Map



SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Office of Environmental Analysis

September 8, 2017

South Carolina Department of Natural Resources
Alvin Taylor
Director
PO Box 167
Columbia, SC 29202

RE: STB Finance Docket No. 36095, Palmetto Railways—Construction and Operation Exemption—In Berkeley County, South Carolina; Preliminary Consultation

Dear Mr. Taylor:

On August 3, 2017 the 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 Surface Transportation Board's (Board) Office of Environmental Analysis (OEA) and the United States Army Corps of Engineers (Corps), Charleston District, are beginning the environmental review of the proposed rail line construction project in compliance with the National Environmental Policy Act and related laws and regulations.

The purpose of this letter is to advise you of the proposed rail line project, request information from your agency on the resources under your jurisdiction that could be affected by the proposed project, and identify permits and approvals that could be required of the Applicant.

Project Background

The proposed rail line would be a short-line rail track that begins at a new connection to the A-Line of CSX Transportation (CSXT) (through the CSXT Cross Subdivision connection), and ends within the Camp Hall Commerce Park, an industrial park currently under development in Ridgville and near Interstate 26. The connection to CSXT would occur on the Santee Cooper property adjacent to its Cross Generating Station, and would cross the Diversion Canal between Lake Marion and Lake Moultrie, running south-southwest. South of the Diversion Canal, the right-of-way traverses the unincorporated rural community of Cross. Beyond the Cross

community, the proposed line passes through a mix of commercial, residential and silvicultural properties before reaching the Camp Hall Commerce Park.

The area is primarily covered by forests, forested wetlands, and open water. The proposed rail line crosses US Highway 176, SC Highway 311, and Old Highway 6, 15 secondary roads and 21 minor forestry/agricultural roads. The entire line would be located within Berkeley County. See Figure A, which shows Palmetto Railways' proposed route in the "Cross Corridor" that Palmetto Railways developed as part of its Alternative Analysis and Figure B, which depicts the additional alternatives studied by Palmetto Railways.

The proposed project is intended to bring rail service to the industrial park, to support the area's infrastructure needs and to alleviate highway congestion involving large commercial trucks in the area.

Environmental Review Process

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Docket No. FD 36095
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Victoria Rutson
Director
Office of Environmental Analysis

Enclosures:

Figure A-Proposed Route Map

Figure B-Palmetto Railways Alternatives Analysis Map



Figure A
Palmetto Railways Proposed Route



Figure B
Palmetto Railways Alternatives Analysis Map



SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Office of Environmental Analysis

September 8, 2017

South Carolina Department of Parks Recreation and Tourism
Duane Parrish
Director
1205 Pendleton St
Columbia, SC 29201

RE: STB Finance Docket No. 36095, Palmetto Railways—Construction and Operation Exemption—In Berkeley County, South Carolina; Preliminary Consultation

Dear Mr. Parrish:

On August 3, 2017 the 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 Surface Transportation Board's (Board) Office of Environmental Analysis (OEA) and the United States Army Corps of Engineers (Corps), Charleston District, are beginning the environmental review of the proposed rail line construction project in compliance with the National Environmental Policy Act and related laws and regulations.

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Surface Transportation Board
Docket No. FD 36095
c/o ICF
9300 Lee Highway
Fairfax, VA 22031

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Victoria Rutson
Director
Office of Environmental Analysis

Enclosures:

Figure A-Proposed Route Map

Figure B-Palmetto Railways Alternatives Analysis Map



Figure A
Palmetto Railways Proposed Route



Figure B
Palmetto Railways Alternatives Analysis Map



SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Office of Environmental Analysis

September 8, 2017

South Carolina Department of Transportation
Jae Maddox P.E.
Project Manager
PO Box 191
Columbia, SC 29202

RE: STB Finance Docket No. 36095, Palmetto Railways—Construction and Operation Exemption—In Berkeley County, South Carolina; Preliminary Consultation

Dear Mr. Maddox:

On August 3, 2017 the 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 Surface Transportation Board's (Board) Office of Environmental Analysis (OEA) and the United States Army Corps of Engineers (Corps), Charleston District, are beginning the environmental review of the proposed rail line construction project in compliance with the National Environmental Policy Act and related laws and regulations.

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Enclosures:

Figure A-Proposed Route Map

Figure B-Palmetto Railways Alternatives Analysis Map



Figure A
Palmetto Railways Proposed Route



Figure B
Palmetto Railways Alternatives Analysis Map



SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Office of Environmental Analysis

September 8, 2017

South Carolina Department of Transportation
Christy Hall P.E.
Secretary
PO Box 191
Columbia, SC 29201

RE: STB Finance Docket No. 36095, Palmetto Railways—Construction and Operation Exemption—In Berkeley County, South Carolina; Preliminary Consultation

Dear Ms. Hall:

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Director
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Enclosures:

Figure A-Proposed Route Map

Figure B-Palmetto Railways Alternatives Analysis Map



Figure A
Palmetto Railways Proposed Route



Figure B
Palmetto Railways Alternatives Analysis Map



SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Office of Environmental Analysis

September 8, 2017

South Carolina Forestry Commission
Herb Nicholson
Environmental Program Manager
PO Box 21707
Columbia, SC 29221

RE: STB Finance Docket No. 36095, Palmetto Railways—Construction and Operation Exemption—In Berkeley County, South Carolina; Preliminary Consultation

Dear Mr. Nicholson:

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Enclosures:

Figure A-Proposed Route Map

Figure B-Palmetto Railways Alternatives Analysis Map



Figure A
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Figure B
Palmetto Railways Alternatives Analysis Map



SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Office of Environmental Analysis

September 8, 2017

South Carolina Human Affairs Commission
Raymond Buxton
Commissioner
PO Box 4490
Columbia, SC 29240

RE: STB Finance Docket No. 36095, Palmetto Railways—Construction and Operation Exemption—In Berkeley County, South Carolina; Preliminary Consultation

Dear Mr. Buxton:

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Request for Comments

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Please send your written comments to Diana Wood, OEA's Project Manager for the environmental analysis, by email at Diana.Wood@stb.gov, or by mail to:

Ms. Diana Wood
Surface Transportation Board
Docket No. FD 36095
c/o ICF
9300 Lee Highway
Fairfax, VA 22031

You may also submit comments electronically through the Board's Web site at www.stb.gov by clicking on the "E-Filing" quick link on the right-hand side of the home page and then selecting "Environmental Comments." Brief comments may be typed within the comment field provided, or alternatively, you may attach comments as Microsoft Word or Adobe Acrobat files.

We look forward to your participation in the environmental review process. If you have any questions or would like to arrange a call, please feel free to contact Diana Wood by phone at 202-245-0302 or by email at Diana.Wood@stb.gov or the Corps' project manager, Courtney Stevens by phone at 843-329-8027 or by email at Courtney.M.Stevens@usace.army.mil.

Sincerely,

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

Victoria Rutson
Director
Office of Environmental Analysis

Enclosures:

Figure A-Proposed Route Map

Figure B-Palmetto Railways Alternatives Analysis Map



Figure A
Palmetto Railways Proposed Route



Figure B
Palmetto Railways Alternatives Analysis Map



SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Office of Environmental Analysis

September 8, 2017

USC / SC Institute of Archaeology & Anthropology
Jonathan Leader
State Archaeologist
1321 Pendleton St
Columbia, SC 29208

RE: STB Finance Docket No. 36095, Palmetto Railways—Construction and Operation Exemption—In Berkeley County, South Carolina; Preliminary Consultation

Dear Mr. Leader:

On August 3, 2017 the 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 Surface Transportation Board's (Board) Office of Environmental Analysis (OEA) and the United States Army Corps of Engineers (Corps), Charleston District, are beginning the environmental review of the proposed rail line construction project in compliance with the National Environmental Policy Act and related laws and regulations.

The purpose of this letter is to advise you of the proposed rail line project, request information from your agency on the resources under your jurisdiction that could be affected by the proposed project, and identify permits and approvals that could be required of the Applicant.

Project Background

The proposed rail line would be a short-line rail track that begins at a new connection to the A-Line of CSX Transportation (CSXT) (through the CSXT Cross Subdivision connection), and ends within the Camp Hall Commerce Park, an industrial park currently under development in Ridgville and near Interstate 26. The connection to CSXT would occur on the Santee Cooper property adjacent to its Cross Generating Station, and would cross the Diversion Canal between Lake Marion and Lake Moultrie, running south-southwest. South of the Diversion Canal, the right-of-way traverses the unincorporated rural community of Cross. Beyond the Cross

community, the proposed line passes through a mix of commercial, residential and silvicultural properties before reaching the Camp Hall Commerce Park.

The area is primarily covered by forests, forested wetlands, and open water. The proposed rail line crosses US Highway 176, SC Highway 311, and Old Highway 6, 15 secondary roads and 21 minor forestry/agricultural roads. The entire line would be located within Berkeley County. See Figure A, which shows Palmetto Railways' proposed route in the "Cross Corridor" that Palmetto Railways developed as part of its Alternative Analysis and Figure B, which depicts the additional alternatives studied by Palmetto Railways.

The proposed project is intended to bring rail service to the industrial park, to support the area's infrastructure needs and to alleviate highway congestion involving large commercial trucks in the area.

Environmental Review Process

OEA and the Corps will work as joint-lead agencies to evaluate the potential environmental effects of the proposed project, including any reasonable and feasible alternatives to the proposed route 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 C.F.R. § 1105, the Corps' permitting authority under Section 404(b)(1) of the Clean Water Act (40 CFR Part 230), and other applicable federal, and state laws.

This letter begins the process by which OEA and the Corps will assess the potential environmental effects, both positive and negative, that may be associated with the proposed rail line construction and operation. We appreciate your assistance in identifying whether any resources of concern to your agency may be affected by the proposed project and welcome information on any additional issues or concerns that you consider appropriate.

To assist in your review of the proposed project, please review the additional information filed by the Applicant in support of its proposal. This information may be found on the Board and Corps' Project website at www.CampHallRailNEPA.com.

Request for Comments

We would like to hear from you regarding whether any resources under your jurisdiction could be affected by the proposed project, and whether this proposal would require permitting or approval requirements from your agency. We request your response by **October 8, 2017**, so that we may be able to schedule any meetings, site visits, or surveys; conduct necessary follow-up activities; and incorporate your response into the scope of study, as appropriate.

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Surface Transportation Board
Docket No. FD 36095
c/o ICF
9300 Lee Highway
Fairfax, VA 22031

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We look forward to your participation in the environmental review process. If you have any questions or would like to arrange a call, please feel free to contact Diana Wood by phone at 202-245-0302 or by email at Diana.Wood@stb.gov or the Corps' project manager, Courtney Stevens by phone at 843-329-8027 or by email at Courtney.M.Stevens@usace.army.mil.

Sincerely,

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Victoria Rutson
Director
Office of Environmental Analysis

Enclosures:

Figure A-Proposed Route Map

Figure B-Palmetto Railways Alternatives Analysis Map



Figure A
Palmetto Railways Proposed Route





SURFACE TRANSPORTATION BOARD
Washington, DC 20423
Office of Environmental Analysis

September 8, 2017

South Carolina Department of Archives & History
Elizabeth Johnson
Deputy State Historic Preservation Officer
8301 Parklane Rd
Columbia, SC 29223

RE: STB Finance Docket No. 36095, Palmetto Railways—Construction and Operation Exemption—In Berkeley County, South Carolina; Preliminary Consultation

Dear Ms. Johnson:

On August 3, 2017 the 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 Surface Transportation Board's (Board) Office of Environmental Analysis (OEA) and the United States Army Corps of Engineers (Corps), Charleston District, are beginning the environmental review of the proposed rail line construction project in compliance with the National Environmental Policy Act and related laws and regulations.

The purpose of this letter is to initiate consultation with the State Historic Preservation Office (SHPO) regarding the proposed Area of Potential Effects (APE) for cultural resources for the proposed rail line project, request information from your agency on the resources under your jurisdiction that could be affected by the proposed project, and identify permits and approvals that could be required of the Applicant. The Board is aware that Palmetto Railways has been in contact with your agency and has submitted a Phase I Cultural Resources Survey of the proposed corridor along the preferred route on July 28, 2017.

Project Background

The proposed rail line would be a short-line rail track that begins at a new connection to the A-Line of CSX Transportation (CSXT) (through the CSXT Cross Subdivision connection), and ends within the Camp Hall Commerce Park, an industrial park currently under development in Ridgeville and near Interstate 26. The connection to CSXT would occur on the Santee Cooper property adjacent to its Cross Generating Station, and would cross the Diversion Canal between Lake Marion and Lake Moultrie, running south-southwest. South of the Diversion Canal, the

right-of-way traverses the unincorporated rural community of Cross. Beyond the Cross community, the proposed line passes through a mix of commercial, residential and silvicultural properties before reaching the Camp Hall Commerce Park.

The area is primarily covered by forests, forested wetlands, and open water. The proposed rail line crosses US Highway 176, SC Highway 311, and Old Highway 6, 15 secondary roads and 21 minor forestry/agricultural roads. The entire line would be located within Berkeley County. See Figure A, which shows Palmetto Railways' proposed route in the "Cross Corridor" that Palmetto Railways developed as part of its Alternatives Analysis and Figure B, which depicts the additional alternatives studied by Palmetto Railways.

The proposed project is intended to bring rail service to the Camp Hall industrial park, to support the area's infrastructure needs and to alleviate highway congestion involving large commercial trucks in the area.

Environmental Review Process

OEA and the Corps will work as joint-lead agencies to evaluate the potential environmental effects of the proposed project, including any reasonable and feasible alternatives to the proposed route 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 C.F.R. § 1105, the Corps' permitting authority under Section 404(b)(1) of the Clean Water Act (40 CFR Part 230), and other applicable federal, and state laws.

This letter begins the process by which OEA and the Corps will assess the potential environmental effects, both positive and negative, that may be associated with the proposed rail line construction and operation. The proposed APE for cultural resources, including archaeological and built resources as well as historic and cultural landscapes, encompasses all areas that could be directly or indirectly affected by the Project. Direct effects include areas that could be affected by the maximum extent of project-related horizontal and vertical ground disturbances and physical changes to architectural resources. Indirect effects include visual effects or effects caused by noise or vibration. In the Phase I Cultural Resources Survey submitted on July 28, 2017, the direct effects APE was defined as the 200-foot project corridor along the proposed route and the indirect effects APE added a zone of a half-mile from the centerline of the proposed corridor. As joint-lead federal agencies under NEPA, the Board and the Corps request SHPO concurrence pursuant to 36 § C.F.R. 800.4 in the determination of the APE. We appreciate your assistance in identifying the APE and whether any resources of concern to your agency may be affected by the proposed project. We welcome information on any additional issues or concerns that you consider appropriate.

To assist in your review of the proposed project, please review the additional information filed by the Applicant in support of its proposal. This information may be found on the Board's and Corps' Project website at www.CampHallRailNEPA.com.

Request for Comments

We would like to hear from you regarding APE concurrence, whether this proposal would require permitting should additional fieldwork be needed, or any other requirements from your agency. We request your response by **October 8, 2017**, so that we may be able to schedule any meetings, site visits, or surveys; conduct necessary follow-up activities; and incorporate your response into the scope of study, as appropriate.

Please send your written comments to Diana Wood, OEA's Project Manager for the environmental analysis, by email at Diana.Wood@stb.gov, or by mail to:

Ms. Diana Wood
Surface Transportation Board
Docket No. FD 36095
c/o ICF
9300 Lee Highway
Fairfax, VA 22031

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Sincerely,

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Victoria Rutson
Director
Office of Environmental Analysis

Enclosures:

Figure A-Proposed Route Map

Figure B-Palmetto Railways Alternatives Analysis Map



Figure A
Palmetto Railways Proposed Route



Figure B
Palmetto Railways Alternatives Analysis Map



SURFACE TRANSPORTATION BOARD
Washington, DC 20423
Office of Environmental Analysis

September 8, 2017

State Historic Preservation Office
Eric Emerson
Director
8301 Parklane Rd
Columbia, SC 29223

RE: STB Finance Docket No. 36095, Palmetto Railways—Construction and Operation Exemption—In Berkeley County, South Carolina; Preliminary Consultation

Dear Mr. Emerson:

On August 3, 2017 the 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 Surface Transportation Board's (Board) Office of Environmental Analysis (OEA) and the United States Army Corps of Engineers (Corps), Charleston District, are beginning the environmental review of the proposed rail line construction project in compliance with the National Environmental Policy Act and related laws and regulations.

The purpose of this letter is to initiate consultation with the State Historic Preservation Office (SHPO) regarding the proposed Area of Potential Effects (APE) for cultural resources for the proposed rail line project, request information from your agency on the resources under your jurisdiction that could be affected by the proposed project, and identify permits and approvals that could be required of the Applicant. The Board is aware that Palmetto Railways has been in contact with your agency and has submitted a Phase I Cultural Resources Survey of the proposed corridor along the preferred route on July 28, 2017.

Project Background

The proposed rail line would be a short-line rail track that begins at a new connection to the A-Line of CSX Transportation (CSXT) (through the CSXT Cross Subdivision connection), and ends within the Camp Hall Commerce Park, an industrial park currently under development in Ridgeville and near Interstate 26. The connection to CSXT would occur on the Santee Cooper property adjacent to its Cross Generating Station, and would cross the Diversion Canal between Lake Marion and Lake Moultrie, running south-southwest. South of the Diversion Canal, the

right-of-way traverses the unincorporated rural community of Cross. Beyond the Cross community, the proposed line passes through a mix of commercial, residential and silvicultural properties before reaching the Camp Hall Commerce Park.

The area is primarily covered by forests, forested wetlands, and open water. The proposed rail line crosses US Highway 176, SC Highway 311, and Old Highway 6, 15 secondary roads and 21 minor forestry/agricultural roads. The entire line would be located within Berkeley County. See Figure A, which shows Palmetto Railways' proposed route in the "Cross Corridor" that Palmetto Railways developed as part of its Alternatives Analysis and Figure B, which depicts the additional alternatives studied by Palmetto Railways.

The proposed project is intended to bring rail service to the Camp Hall industrial park, to support the area's infrastructure needs and to alleviate highway congestion involving large commercial trucks in the area.

Environmental Review Process

OEA and the Corps will work as joint-lead agencies to evaluate the potential environmental effects of the proposed project, including any reasonable and feasible alternatives to the proposed route 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 C.F.R. § 1105, the Corps' permitting authority under Section 404(b)(1) of the Clean Water Act (40 CFR Part 230), and other applicable federal, and state laws.

This letter begins the process by which OEA and the Corps will assess the potential environmental effects, both positive and negative, that may be associated with the proposed rail line construction and operation. The proposed APE for cultural resources, including archaeological and built resources as well as historic and cultural landscapes, encompasses all areas that could be directly or indirectly affected by the Project. Direct effects include areas that could be affected by the maximum extent of project-related horizontal and vertical ground disturbances and physical changes to architectural resources. Indirect effects include visual effects or effects caused by noise or vibration. In the Phase I Cultural Resources Survey submitted on July 28, 2017, the direct effects APE was defined as the 200-foot project corridor along the proposed route and the indirect effects APE added a zone of a half-mile from the centerline of the proposed corridor. As joint-lead federal agencies under NEPA, the Board and the Corps request SHPO concurrence pursuant to 36 § C.F.R. 800.4 in the determination of the APE. We appreciate your assistance in identifying the APE and whether any resources of concern to your agency may be affected by the proposed project. We welcome information on any additional issues or concerns that you consider appropriate.

To assist in your review of the proposed project, please review the additional information filed by the Applicant in support of its proposal. This information may be found on the Board's and Corps' Project website at www.CampHallRailNEPA.com.

Request for Comments

We would like to hear from you regarding APE concurrence, whether this proposal would require permitting should additional fieldwork be needed, or any other requirements from your agency. We request your response by **October 8, 2017**, so that we may be able to schedule any meetings, site visits, or surveys; conduct necessary follow-up activities; and incorporate your response into the scope of study, as appropriate.

Please send your written comments to Diana Wood, OEA's Project Manager for the environmental analysis, by email at Diana.Wood@stb.gov, or by mail to:

Ms. Diana Wood
Surface Transportation Board
Docket No. FD 36095
c/o ICF
9300 Lee Highway
Fairfax, VA 22031

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Sincerely,

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Victoria Rutson
Director
Office of Environmental Analysis

Enclosures:

Figure A-Proposed Route Map

Figure B-Palmetto Railways Alternatives Analysis Map



Figure A
Palmetto Railways Proposed Route





SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Office of Environmental Analysis

September 27, 2017

Dorchester County
Russ Cornette
Director of Public Works
200 S. Main Street
Summerville, South Carolina 29483

RE: STB Finance Docket No. 36095, Palmetto Railways—Construction and Operation Exemption—In Berkeley County, South Carolina; Preliminary Consultation

Dear Mr. Cornette:

On August 3, 2017 the 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 Surface Transportation Board's (Board) Office of Environmental Analysis (OEA) and the United States Army Corps of Engineers (Corps), Charleston District, are beginning the environmental review of the proposed rail line construction project in compliance with the National Environmental Policy Act and related laws and regulations.

The purpose of this letter is to advise you of the proposed rail line project, request information from your agency on the resources under your jurisdiction that could be affected by the proposed project, and identify permits and approvals that could be required of the Applicant.

Project Background

The proposed rail line would be a short-line rail track that begins at a new connection to the A-Line of CSX Transportation (CSXT) (through the CSXT Cross Subdivision connection), and ends within the Camp Hall Commerce Park, an industrial park currently under development in Ridgville and near Interstate 26. The connection to CSXT would occur on the Santee Cooper property adjacent to its Cross Generating Station, and would cross the Diversion Canal between Lake Marion and Lake Moultrie, running south-southwest. South of the Diversion Canal, the right-of-way traverses the unincorporated rural community of Cross. Beyond the Cross

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The area is primarily covered by forests, forested wetlands, and open water. The proposed rail line crosses US Highway 176, SC Highway 311, and Old Highway 6, 15 secondary roads and 21 minor forestry/agricultural roads. The entire line would be located within Berkeley County. See Figure A, which shows Palmetto Railways' proposed route in the "Cross Corridor" that Palmetto Railways developed as part of its Alternative Analysis and Figure B, which depicts the additional alternatives studied by Palmetto Railways.

The proposed project is intended to bring rail service to the industrial park, to support the area's infrastructure needs and to alleviate highway congestion involving large commercial trucks in the area.

Environmental Review Process

OEA and the Corps will work as joint-lead agencies to evaluate the potential environmental effects of the proposed project, including any reasonable and feasible alternatives to the proposed route 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 C.F.R. § 1105, the Corps' permitting authority under Section 404(b)(1) of the Clean Water Act (40 CFR Part 230), and other applicable federal, and state laws.

This letter begins the process by which OEA and the Corps will assess the potential environmental effects, both positive and negative, that may be associated with the proposed rail line construction and operation. We appreciate your assistance in identifying whether any resources of concern to your agency may be affected by the proposed project and welcome information on any additional issues or concerns that you consider appropriate.

To assist in your review of the proposed project, please review the additional information filed by the Applicant in support of its proposal. This information may be found on the Board and Corps' Project website at www.CampHallRailNEPA.com.

Request for Comments

We would like to hear from you regarding whether any resources under your jurisdiction could be affected by the proposed project, and whether this proposal would require permitting or approval requirements from your agency. We request your response by **October 26, 2017**, so that we may be able to schedule any meetings, site visits, or surveys; conduct necessary follow-up activities; and incorporate your response into the scope of study, as appropriate.

Please send your written comments to Diana Wood, OEA's Project Manager for the environmental analysis, by email at Diana.Wood@stb.gov, or by mail to:

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Victoria Rutson
Director
Office of Environmental Analysis

Enclosures:

Figure A-Proposed Route Map

Figure B-Palmetto Railways Alternatives Analysis Map



SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Office of Environmental Analysis

September 27, 2017

Dorchester County
Melissa Hopkins
Chief Building Official
500 N. Main St.
Summerville, South Carolina 29483

RE: STB Finance Docket No. 36095, Palmetto Railways—Construction and Operation Exemption—In Berkeley County, South Carolina; Preliminary Consultation

Dear Ms. Hopkins:

On August 3, 2017 the 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 Surface Transportation Board's (Board) Office of Environmental Analysis (OEA) and the United States Army Corps of Engineers (Corps), Charleston District, are beginning the environmental review of the proposed rail line construction project in compliance with the National Environmental Policy Act and related laws and regulations.

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Victoria Rutson
Director
Office of Environmental Analysis

Enclosures:

Figure A-Proposed Route Map

Figure B-Palmetto Railways Alternatives Analysis Map



SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Office of Environmental Analysis

September 27, 2017

Dorchester County
Wayne Welch
Assessor
201 Johnston St.
St. George, South Carolina 29477

RE: STB Finance Docket No. 36095, Palmetto Railways—Construction and Operation Exemption—In Berkeley County, South Carolina; Preliminary Consultation

Dear Mr. Welch:

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This letter begins the process by which OEA and the Corps will assess the potential environmental effects, both positive and negative, that may be associated with the proposed rail line construction and operation. We appreciate your assistance in identifying whether any resources of concern to your agency may be affected by the proposed project and welcome information on any additional issues or concerns that you consider appropriate.

To assist in your review of the proposed project, please review the additional information filed by the Applicant in support of its proposal. This information may be found on the Board and Corps' Project website at www.CampHallRailNEPA.com.

Request for Comments

We would like to hear from you regarding whether any resources under your jurisdiction could be affected by the proposed project, and whether this proposal would require permitting or approval requirements from your agency. We request your response by **October 26, 2017**, so that we may be able to schedule any meetings, site visits, or surveys; conduct necessary follow-up activities; and incorporate your response into the scope of study, as appropriate.

Please send your written comments to Diana Wood, OEA's Project Manager for the environmental analysis, by email at Diana.Wood@stb.gov, or by mail to:

Ms. Diana Wood
Surface Transportation Board
Docket No. FD 36095
c/o ICF
9300 Lee Highway
Fairfax, VA 22031

You may also submit comments electronically through the Board's Web site at www.stb.gov by clicking on the "E-Filing" quick link on the right-hand side of the home page and then selecting "Environmental Comments." Brief comments may be typed within the comment field provided, or alternatively, you may attach comments as Microsoft Word or Adobe Acrobat files.

We look forward to your participation in the environmental review process. If you have any questions or would like to arrange a call, please feel free to contact Diana Wood by phone at 202-245-0302 or by email at Diana.Wood@stb.gov or the Corps' project manager, Courtney Stevens by phone at 843-329-8027 or by email at Courtney.M.Stevens@usace.army.mil.

Sincerely,

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Victoria Rutson
Director
Office of Environmental Analysis

Enclosures:

Figure A-Proposed Route Map

Figure B-Palmetto Railways Alternatives Analysis Map



SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Office of Environmental Analysis

September 27, 2017

Dorchester County
Jessi Shuler
Director of Planning
200 S. Main Street
Summerville, South Carolina 29483

RE: STB Finance Docket No. 36095, Palmetto Railways—Construction and Operation Exemption—In Berkeley County, South Carolina; Preliminary Consultation

Dear Jessi Shuler:

On August 3, 2017 the 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 Surface Transportation Board's (Board) Office of Environmental Analysis (OEA) and the United States Army Corps of Engineers (Corps), Charleston District, are beginning the environmental review of the proposed rail line construction project in compliance with the National Environmental Policy Act and related laws and regulations.

The purpose of this letter is to advise you of the proposed rail line project, request information from your agency on the resources under your jurisdiction that could be affected by the proposed project, and identify permits and approvals that could be required of the Applicant.

Project Background

The proposed rail line would be a short-line rail track that begins at a new connection to the A-Line of CSX Transportation (CSXT) (through the CSXT Cross Subdivision connection), and ends within the Camp Hall Commerce Park, an industrial park currently under development in Ridgville and near Interstate 26. The connection to CSXT would occur on the Santee Cooper property adjacent to its Cross Generating Station, and would cross the Diversion Canal between Lake Marion and Lake Moultrie, running south-southwest. South of the Diversion Canal, the right-of-way traverses the unincorporated rural community of Cross. Beyond the Cross

community, the proposed line passes through a mix of commercial, residential and silvicultural properties before reaching the Camp Hall Commerce Park.

The area is primarily covered by forests, forested wetlands, and open water. The proposed rail line crosses US Highway 176, SC Highway 311, and Old Highway 6, 15 secondary roads and 21 minor forestry/agricultural roads. The entire line would be located within Berkeley County. See Figure A, which shows Palmetto Railways' proposed route in the "Cross Corridor" that Palmetto Railways developed as part of its Alternative Analysis and Figure B, which depicts the additional alternatives studied by Palmetto Railways.

The proposed project is intended to bring rail service to the industrial park, to support the area's infrastructure needs and to alleviate highway congestion involving large commercial trucks in the area.

Environmental Review Process

OEA and the Corps will work as joint-lead agencies to evaluate the potential environmental effects of the proposed project, including any reasonable and feasible alternatives to the proposed route 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 C.F.R. § 1105, the Corps' permitting authority under Section 404(b)(1) of the Clean Water Act (40 CFR Part 230), and other applicable federal, and state laws.

This letter begins the process by which OEA and the Corps will assess the potential environmental effects, both positive and negative, that may be associated with the proposed rail line construction and operation. We appreciate your assistance in identifying whether any resources of concern to your agency may be affected by the proposed project and welcome information on any additional issues or concerns that you consider appropriate.

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Ms. Diana Wood
Surface Transportation Board
Docket No. FD 36095
c/o ICF
9300 Lee Highway
Fairfax, VA 22031

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Victoria Rutson
Director
Office of Environmental Analysis

Enclosures:

Figure A-Proposed Route Map

Figure B-Palmetto Railways Alternatives Analysis Map



SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Office of Environmental Analysis

September 27, 2017

Orangeburg County
Sinkler Boone
Director of Public Works
1437 Amelia Street
Orangeburg, South Carolina 29115

RE: STB Finance Docket No. 36095, Palmetto Railways—Construction and Operation Exemption—In Berkeley County, South Carolina; Preliminary Consultation

Dear Sinkler Boone:

On August 3, 2017 the 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 Surface Transportation Board's (Board) Office of Environmental Analysis (OEA) and the United States Army Corps of Engineers (Corps), Charleston District, are beginning the environmental review of the proposed rail line construction project in compliance with the National Environmental Policy Act and related laws and regulations.

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Victoria Rutson
Director
Office of Environmental Analysis

Enclosures:

Figure A-Proposed Route Map

Figure B-Palmetto Railways Alternatives Analysis Map



SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Office of Environmental Analysis

September 27, 2017

Orangeburg County
Harry Wiggins
Building Official
1437 Amelia Street
Orangeburg, South Carolina 29115

RE: STB Finance Docket No. 36095, Palmetto Railways—Construction and Operation Exemption—In Berkeley County, South Carolina; Preliminary Consultation

Dear Mr. Wiggins:

On August 3, 2017 the 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 Surface Transportation Board's (Board) Office of Environmental Analysis (OEA) and the United States Army Corps of Engineers (Corps), Charleston District, are beginning the environmental review of the proposed rail line construction project in compliance with the National Environmental Policy Act and related laws and regulations.

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Victoria Rutson
Director
Office of Environmental Analysis

Enclosures:

Figure A-Proposed Route Map

Figure B-Palmetto Railways Alternatives Analysis Map



SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Office of Environmental Analysis

September 27, 2017

Orangeburg County
Jim McLean
Assessor
1437 Amelia Street
Orangeburg, South Carolina 29115

RE: STB Finance Docket No. 36095, Palmetto Railways—Construction and Operation Exemption—In Berkeley County, South Carolina; Preliminary Consultation

Dear Mr. McLean:

On August 3, 2017 the 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 Surface Transportation Board's (Board) Office of Environmental Analysis (OEA) and the United States Army Corps of Engineers (Corps), Charleston District, are beginning the environmental review of the proposed rail line construction project in compliance with the National Environmental Policy Act and related laws and regulations.

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The proposed project is intended to bring rail service to the industrial park, to support the area's infrastructure needs and to alleviate highway congestion involving large commercial trucks in the area.

Environmental Review Process

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Victoria Rutson
Director
Office of Environmental Analysis

Enclosures:

Figure A-Proposed Route Map

Figure B-Palmetto Railways Alternatives Analysis Map



SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Office of Environmental Analysis

September 27, 2017

Orangeburg County
Richard Hall
Planning
1437 Amelia Street
Orangeburg, South Carolina 29115

RE: STB Finance Docket No. 36095, Palmetto Railways—Construction and Operation Exemption—In Berkeley County, South Carolina; Preliminary Consultation

Dear Mr. Hall:

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Victoria Rutson
Director
Office of Environmental Analysis

Enclosures:

Figure A-Proposed Route Map

Figure B-Palmetto Railways Alternatives Analysis Map



SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Office of Environmental Analysis

October 24, 2017

South Carolina Department of Health and Environmental Control
Bureau of Water
2600 Bull Street
Columbia, SC 29208

RE: STB Finance Docket No. 36095, Palmetto Railways—Construction and Operation Exemption—In Berkeley County, South Carolina; Preliminary Consultation

Dear Sir or Madam:

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We look forward to your participation in the environmental review process. If you have any questions or would like to arrange a call, please feel free to contact Diana Wood by phone at 202-245-0302 or by email at Diana.Wood@stb.gov or the Corps' project manager, Courtney Stevens by phone at 843-329-8027 or by email at Courtney.M.Stevens@usace.army.mil.

Sincerely,

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

Victoria Rutson
Director
Office of Environmental Analysis

Enclosures:

Figure A-Proposed Route Map

Figure B-Palmetto Railways Alternatives Analysis Map



SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Office of Environmental Analysis

October 24, 2017

South Carolina Department of Health and Environmental Control
Bureau of Land and Waste Management
2600 Bull Street
Columbia, SC 29208

RE: STB Finance Docket No. 36095, Palmetto Railways—Construction and Operation Exemption—In Berkeley County, South Carolina; Preliminary Consultation

Dear Sir or Madam:

On August 3, 2017 the 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 Surface Transportation Board's (Board) Office of Environmental Analysis (OEA) and the United States Army Corps of Engineers (Corps), Charleston District, are beginning the environmental review of the proposed rail line construction project in compliance with the National Environmental Policy Act and related laws and regulations.

The purpose of this letter is to advise you of the proposed rail line project, request information from your agency on the resources under your jurisdiction that could be affected by the proposed project, and identify permits and approvals that could be required of the Applicant.

Project Background

The proposed rail line would be a short-line rail track that begins at a new connection to the A-Line of CSX Transportation (CSXT) (through the CSXT Cross Subdivision connection), and ends within the Camp Hall Commerce Park, an industrial park currently under development in Ridgeville and near Interstate 26. The connection to CSXT would occur on the Santee Cooper property adjacent to its Cross Generating Station, and would cross the Diversion Canal between Lake Marion and Lake Moultrie, running south-southwest. South of the Diversion Canal, the right-of-way traverses the unincorporated rural community of Cross. Beyond the Cross community, the proposed line passes through a mix of commercial, residential and silvicultural properties before reaching the Camp Hall Commerce Park.

The area is primarily covered by forests, forested wetlands, and open water. The proposed rail line crosses US Highway 176, SC Highway 311, and Old Highway 6, 15 secondary roads and 21 minor forestry/agricultural roads. The entire line would be located within Berkeley County. See Figure A, which shows Palmetto Railways' proposed route in the "Cross Corridor" that Palmetto Railways developed as part of its Alternative Analysis and Figure B, which depicts the additional alternatives studied by Palmetto Railways.

The proposed project is intended to bring rail service to the industrial park, to support the area's infrastructure needs and to alleviate highway congestion involving large commercial trucks in the area.

Environmental Review Process

OEA and the Corps will work as joint-lead agencies to evaluate the potential environmental effects of the proposed project, including any reasonable and feasible alternatives to the proposed route 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 C.F.R. § 1105, the Corps' permitting authority under Section 404(b)(1) of the Clean Water Act (40 CFR Part 230), and other applicable federal, and state laws.

This letter begins the process by which OEA and the Corps will assess the potential environmental effects, both positive and negative, that may be associated with the proposed rail line construction and operation. We appreciate your assistance in identifying whether any resources of concern to your agency may be affected by the proposed project and welcome information on any additional issues or concerns that you consider appropriate.

To assist in your review of the proposed project, please review the additional information filed by the Applicant in support of its proposal. This information may be found on the Board and Corps' Project website at www.CampHallRailNEPA.com.

Request for Comments

We would like to hear from you regarding whether any resources under your jurisdiction could be affected by the proposed project, and whether this proposal would require permitting or approval requirements from your agency. We request your response by **November 24, 2017**, so that we may be able to schedule any meetings, site visits, or surveys; conduct necessary follow-up activities; and incorporate your response into the scope of study, as appropriate.

October 24, 2017

Page 3

Please send your written comments to Diana Wood, OEA's Project Manager for the environmental analysis, by email at Diana.Wood@stb.gov, or by mail to:

Ms. Diana Wood
Surface Transportation Board
Docket No. FD 36095
c/o ICF
9300 Lee Highway
Fairfax, VA 22031

You may also submit comments electronically through the Board's Web site at www.stb.gov by clicking on the "E-Filing" quick link on the right-hand side of the home page and then selecting "Environmental Comments." Brief comments may be typed within the comment field provided, or alternatively, you may attach comments as Microsoft Word or Adobe Acrobat files.

We look forward to your participation in the environmental review process. If you have any questions or would like to arrange a call, please feel free to contact Diana Wood by phone at 202-245-0302 or by email at Diana.Wood@stb.gov or the Corps' project manager, Courtney Stevens by phone at 843-329-8027 or by email at Courtney.M.Stevens@usace.army.mil.

Sincerely,

A handwritten signature in black ink, appearing to read "Victoria Rutson".

Victoria Rutson
Director
Office of Environmental Analysis

Enclosures:

Figure A-Proposed Route Map

Figure B-Palmetto Railways Alternatives Analysis Map

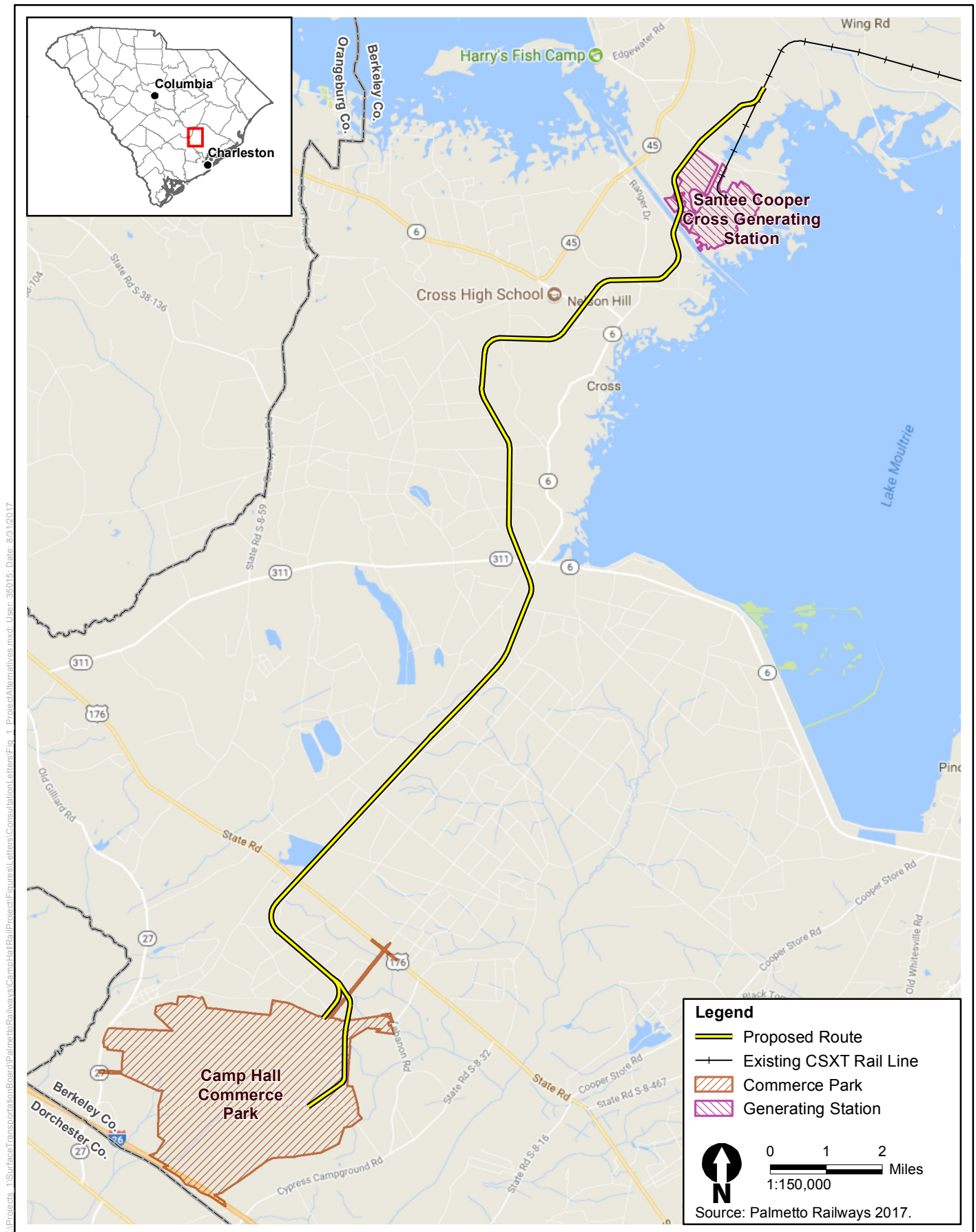


Figure A
Palmetto Railways Proposed Route



Figure B

Palmetto Railways Alternatives Analysis Map

Pamela J. Williams

Senior Vice President
of Corporate Services

(843) 761-7043

fax: (843) 761-7037

pjwillia@santeecooper.com

October 6, 2017

Ms. Dianne Wood
Program Manager
Office of Environmental Analysis
Surface Transportation Board
395 E Street, SW
Washington, DC 20423-0001

Mr. Travis Hughes
Chief, Regulatory Division
U.S. Army Corps of Engineers, Charleston District
69-A Hagood Ave.
Charleston, S.C. 29403

Re: Palmetto Railways Camp Hall Rail Project;
STB Docket No. FD 36095

Dear Ms. Wood and Mr. Hughes:

The South Carolina Public Service Authority (known as Santee Cooper) supports the proposed development of an industrial rail line by Palmetto Railways that will provide rail service from the Camp Hall Commerce Park in Berkeley County, South Carolina, to the A-Line of CSX Transportation, Inc.

As an instrumentality of the State of South Carolina, Santee Cooper is charged with providing water and power and assisting economic development "for the benefit of all the people of the State...." S.C. Code Ann. § 58-31-80. As you may know, Santee Cooper owns approximately 3,882 acres of the Camp Hall site. Santee Cooper has obtained regulatory approval from the U.S. Army Corps of Engineers, Charleston District, for the development of approximately 1,382 acres of that site. That property, adjacent to the development of the Volvo automotive manufacturing facility, is currently being marketed and is available for sale and development.

Rail infrastructure and availability at the Camp Hall Commerce Park significantly enhances the value and attractiveness of the property for economic, and particularly industrial, development. Industrial development of the property further supports jobs and improves the quality of life of the State's citizens, including the alleviation of road congestion by using rail as an alternative to trucks. Santee Cooper views the Camp Hall rail project and its proposed access for the Santee Cooper-owned portion of the Camp Hall Commerce Park as an important addition of infrastructure to support the transportation and logistics needs of the future development of Camp Hall.

In response to the request for information about the resources under Santee Cooper's jurisdiction that could be affected by the proposed project, the proposed route both begins and ends on Santee Cooper property, in addition to being in the vicinity or contiguous to other undeveloped parcels and transmission and distribution rights-of-way of Santee Cooper. Santee Cooper and Palmetto Railways are working cooperatively to ensure that Santee Cooper's operations will not be adversely impacted and to respect and maintain Santee Cooper's requirements under federal and state obligations, including, for example, FERC licensing requirements. Santee Cooper and Palmetto Railways are also discussing property access requirements for both the proposed project and other Santee Cooper property, which Santee Cooper needs to maintain, including transmission encroachments, utility rights-of-way, and general use and enjoyment.

Santee Cooper and Palmetto Railways will work cooperatively and in good faith to resolve any issues to ensure the proposed project, which adds value and benefit to Santee Cooper's property in Camp Hall, moves forward. In sum, Santee Cooper fully supports Palmetto Railways' proposed project and respectfully requests that the Surface Transportation Board and the U.S. Army Corps of Engineers move expeditiously to approve the pending petition for exemption and permit application, respectively, for the proposed Camp Hall Rail Line.

Sincerely,

A handwritten signature in black ink, appearing to read "Pamela J. Williams", with a long horizontal flourish extending to the right.

Pamela J. Williams

PJW:cgb



SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Office of Environmental Analysis

September 8, 2017

Santee Cooper
Sam Bennett
Vice President of Administration
1 Riverwood Dr
Moncks Corner, SC 29461

RE: STB Finance Docket No. 36095, Palmetto Railways—Construction and Operation Exemption—In Berkeley County, South Carolina; Preliminary Consultation

Dear Mr. Bennett:

On August 3, 2017 the 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 Surface Transportation Board's (Board) Office of Environmental Analysis (OEA) and the United States Army Corps of Engineers (Corps), Charleston District, are beginning the environmental review of the proposed rail line construction project in compliance with the National Environmental Policy Act and related laws and regulations.

The purpose of this letter is to advise you of the proposed rail line project, request information from your agency on the resources under your jurisdiction that could be affected by the proposed project, and identify permits and approvals that could be required of the Applicant.

Project Background

The proposed rail line would be a short-line rail track that begins at a new connection to the A-Line of CSX Transportation (CSXT) (through the CSXT Cross Subdivision connection), and ends within the Camp Hall Commerce Park, an industrial park currently under development in Ridgeville and near Interstate 26. The connection to CSXT would occur on the Santee Cooper property adjacent to its Cross Generating Station, and would cross the Diversion Canal between Lake Marion and Lake Moultrie, running south-southwest. South of the Diversion Canal, the right-of-way traverses the unincorporated rural community of Cross. Beyond the Cross

Please send your written comments to Diana Wood, OEA's Project Manager for the environmental analysis, by email at Diana.Wood@stb.gov, or by mail to:

Ms. Diana Wood
Surface Transportation Board
Docket No. FD 36095
c/o ICF
9300 Lee Highway
Fairfax, VA 22031

You may also submit comments electronically through the Board's Web site at www.stb.gov by clicking on the "E-Filing" quick link on the right-hand side of the home page and then selecting "Environmental Comments." Brief comments may be typed within the comment field provided, or alternatively, you may attach comments as Microsoft Word or Adobe Acrobat files.

We look forward to your participation in the environmental review process. If you have any questions or would like to arrange a call, please feel free to contact Diana Wood by phone at 202-245-0302 or by email at Diana.Wood@stb.gov or the Corps' project manager, Courtney Stevens by phone at 843-329-8027 or by email at Courtney.M.Stevens@usace.army.mil.

Sincerely,

A handwritten signature in black ink, appearing to read "Victoria Rutson". The signature is fluid and cursive, with a large initial "V" and a stylized "R".

Victoria Rutson
Director
Office of Environmental Analysis

Enclosures:

Figure A-Proposed Route Map

Figure B-Palmetto Railways Alternatives Analysis Map

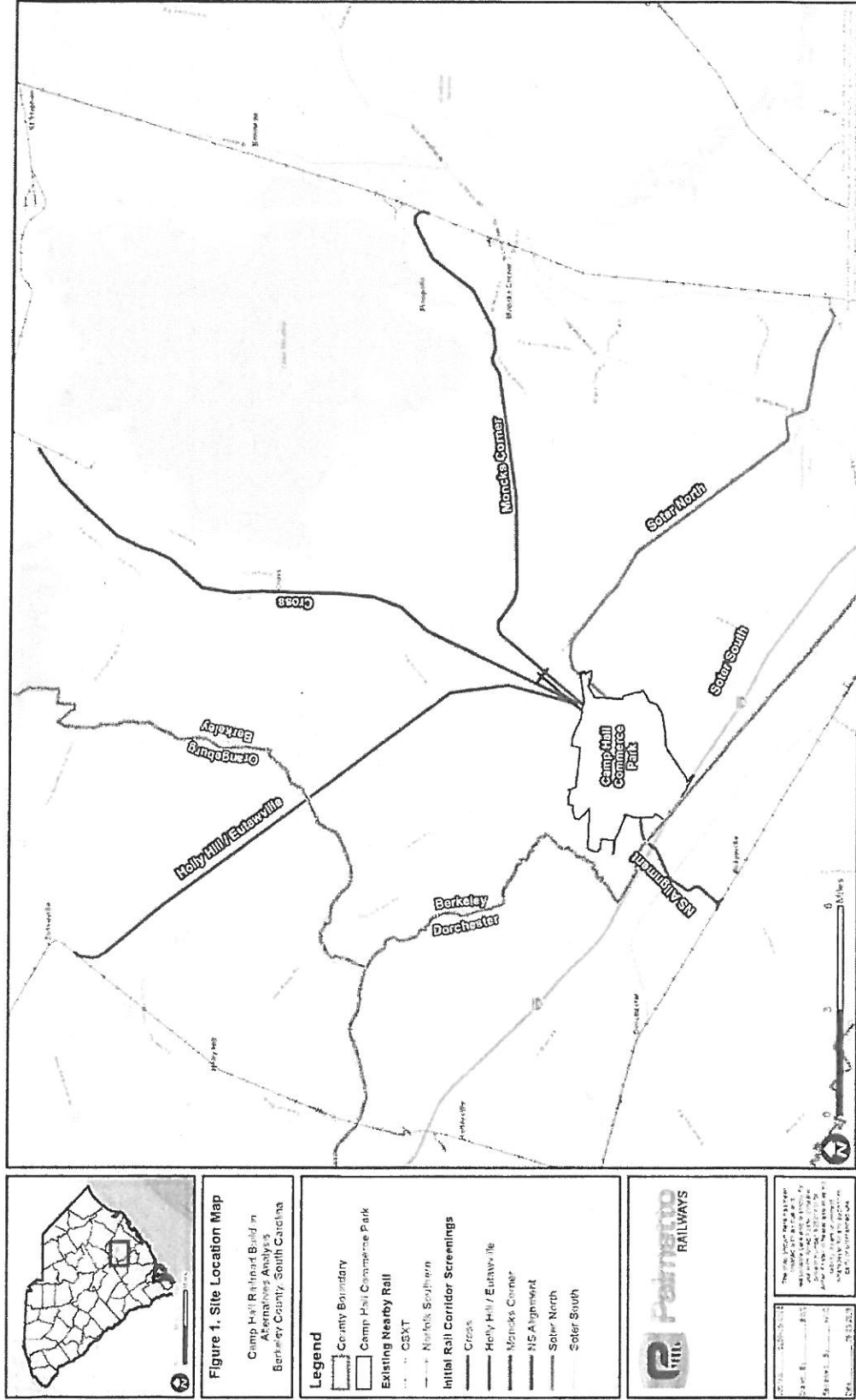


Figure B
Palmetto Railways Alternatives Analysis Map

Botelho, Crystal

To: Williams, Pamela
Subject: RE: [EXTERNAL SENDER] Re: Palmetto Railways Camp Hall Project

Begin forwarded message:

From: Jeff McWhorter <JMcWhorter@palmettorail.com>
Date: October 6, 2017 at 4:33:03 PM EDT
To: "Williams, Pamela" <pamela.williams@santeecooper.com>
Cc: Karen Manning <kmanning@sccommerce.com>, "Hitt, Bobby (bhitt@sccommerce.com)" <bhitt@sccommerce.com>, "Tye, Marc" <marc.tye@santeecooper.com>, "Warner, Elizabeth" <elizabeth.warner@santeecooper.com>
Subject: [EXTERNAL SENDER] Re: Palmetto Railways Camp Hall Project

WARNING: This e-mail is from an external sender. Use caution when opening attachments and clicking links.

Pamela,

Thank you for your email and for Santee Cooper's support. We look forward to working with you and your team on the Camp Hall Rail Project and more specifically on the issues you have outlined below.

Have a great weekend!

Regards,

Jeff

Jeffrey McWhorter
President & CEO
[540 E. Bay Street | Charleston, SC 29403 | 843.727.2067](#)
JMcWhorter@PalmettoRail.com | www.PalmettoRailways.com



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original message to us or destroy all printed and electronic copies. Nothing in this transmission is intended to be an electronic signature nor to constitute an agreement of any kind under applicable law unless otherwise expressly indicated. Intentional interception or dissemination of electronic mail not belonging to you may violate federal or state law.

On Oct 6, 2017, at 3:03 PM, Williams, Pamela <pamela.williams@santeecooper.com> wrote:

Dear Jeff:

Santee Cooper fully supports Palmetto Railways' project to extend the rail line from the CSX main line near our Cross Generating Station to Camp Hall. Development of Camp Hall will bring substantial benefits to Berkeley County and the entire state in the form of jobs and capital investment. As you know, Santee Cooper and the SC Department of Commerce worked together to obtain and improve the Camp Hall property and recruit Volvo to the site. This rail line will be important as Santee Cooper seeks to recoup its investment in the remaining Camp Hall property.

Because the proposed rail route traverses, adjoins or lies in the vicinity of Santee Cooper property and assets, we ask that you work cooperatively with us to address potential impacts. In particular, please acknowledge Palmetto Railways will work with Santee Cooper to:

- Ensure the project does not negatively impact or interfere with operations at our Cross Generating Station, including environmental permits, site security and emergency evacuation routes
- Seek reasonable terms for encroachments on Transmission and Distribution rights of way, including reimbursement for any required structural modifications and assured continued access
- Minimize impacts to property within our FERC license boundary, including cooperating in FERC permitting requirements and addressing any dam safety concerns
- Allow for adequate access to Santee Cooper property for continued use and enjoyment, including as required for timber harvesting
- Review hydraulic/hydrology engineering reports and address potential impacts on drainage areas on Santee Cooper property

We look forward to working with you on the project. I look forward to your email response.

Regards,

Pamela

Pamela J. Williams
Sr. V.P. Corporate Services
Santee Cooper
(843) 761-7043

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This message is intended exclusively for the individual or entity to which it is addressed. This communication may contain information that is proprietary, privileged, confidential or otherwise legally exempt from disclosure. If you are not the named addressee, you are not authorized to read, print, retain, copy or disseminate this message or any part of it. If you have received this message in error, please notify the sender immediately either by phone or reply to this e-mail, and delete all copies of this message.

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Henry McMaster
Governor

SOUTH CAROLINA
DEPARTMENT OF COMMERCE

Robert M. Hitt III
Secretary

October 4, 2017

Ms. Victoria Rutson, Esq.
Director, Office of Environmental Analysis
Surface Transportation Board
395 E Street, SW
Washington, DC 20423-0001

Mr. Travis Hughes
Chief, Regulatory Division
U.S. Army Corps of Engineers, Charleston District
69-A Hagood Ave.
Charleston, S.C. 29403

Re: Palmetto Railways Camp Hall Rail Project; STB Docket No. FD 36095

Dear Ms. Rutson and Mr. Hughes:

The South Carolina Department of Commerce (Commerce) appreciates this opportunity to comment on the proposed development of an industrial rail line by Palmetto Railways that will provide rail service from the Camp Hall Commerce Park in Berkeley County, South Carolina, to the A-Line of CSX Transportation, Inc. (CSXT). Commerce fully supports the project.

Commerce is an agency of the State of South Carolina whose primary mission is to stimulate economic activity and develop the potentialities of the State. Through Commerce's Division of Public Railways (dba Palmetto Railways), Commerce is also responsible for developing the state railways system for the efficient and economical movement of freight, goods, and other merchandise. Without adequate rail infrastructure, Commerce is limited in its ability to attract and maximize new taxable investment and more and better paying jobs for our state's citizens.

The proposed Camp Hall Rail project fulfills these missions by bringing rail service to a large industrial park that will attract new and investment and job creation to Berkeley County. The benefits to South Carolina are substantial. The project will create additional economic development opportunities in a previously undeveloped area of the State along the proposed rail line between the unincorporated rural community of Cross and the industrial park as well as alleviate truck traffic in the area through expansion of infrastructure to support existing and future freight movements.

Commerce has had tremendous economic development success in the greater Charleston region and specifically in the area of the Camp Hall Commerce Park in Berkeley County. In 2015,

Volvo Car US Operations Inc. (Volvo) announced the construction of a \$500 million manufacturing facility at the Camp Hall Commerce Park and the creation of 2,000 new jobs. Then, in late September, 2017, Volvo announced that it would invest an additional \$520 million in its Camp Hall manufacturing facility and new office operations bringing the collective total to more than \$1 billion in investment and 3,900 jobs. Once construction is complete in 2018, Volvo expects to start production of the company's all-new S60 sedan, and with the newly announced additional investment, Volvo will manufacture its flagship product, the next generation XC90, starting in 2021. Once both vehicles are in production, Volvo will produce an estimated 150,000 cars annually. The Camp Hall facility currently under construction will be Volvo's first manufacturing facility in North America.

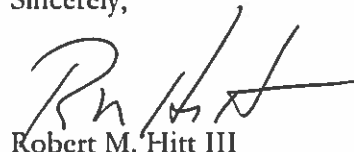
As the anchor tenant of the Camp Hall Commerce Park, Volvo will directly benefit from the proposed rail line that connects to the Class I rail network and provides direct access to the Port of Charleston. The project will enable better and more efficient logistics and lead times for the purchase and distribution of parts needed in Volvo's new advanced manufacturing facility as well as the shipment of finished vehicles throughout North America and abroad. The proposed rail infrastructure has the capacity not only to serve Volvo's planned activities, but also to handle Volvo's future phases. Furthermore, the rail line will provide the very same advantages and benefits to future tenants of the Camp Hall Commerce Park. At the same time, the project will reduce the burden of ever-increasing truck traffic associated with this foreseeable growth within and surrounding the industrial park.

In sum, Commerce views the Camp Hall Rail project as a significant and necessary expansion of infrastructure to support economic development in South Carolina. The proposed rail line is essential for the transportation, distribution and logistics needs of Volvo and future tenants and industry within the Camp Hall Commerce Park. By connecting the Volvo and the industrial park to the CSXT mainline and providing direct access to the Port of Charleston and a North American rail distribution network, the Camp Hall Rail project will further Commerce's economic development mission and make highest and best use of the industrial sites in the Camp Hall Commerce Park.

For the reasons stated, Commerce fully supports Palmetto Railways' proposed project and respectfully requests that the Surface Transportation Board and the U.S. Army Corps of Engineers move expeditiously to approve the pending petition for exemption and permit application, respectively, for the proposed Camp Hall Rail Line.

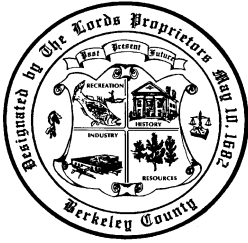
With kind regards, I am,

Sincerely,



Robert M. Hitt III

RMHIII/km



BERKELEY COUNTY
PLANNING AND ZONING DEPARTMENT
Alison Simmons, AICP, Director
P.O. Box 6122
1003 Highway 52
Moncks Corner, SC 29461

October 6, 2017

Ms. Diana Wood
Surface Transportation Board
Docket No. FD 36095
c/o ICF
9300 Lee Highway
Fairfax, VA 22031
Diana.Wood@stb.gov

RE: REQUEST FOR INFORMATION PERTAINING TO “STB Finance Docket No. 36095, Palmetto Railways – Construction and Operation Exemption – In Berkeley County, SC; Preliminary Consultation”

Dear Ms. Wood,

Thank you for engaging Berkeley County about Palmetto Railways’ proposed 22.7-mile rail line extension from the Cross Generating Station to the Camp Hall Industrial Campus, located within the “Cross Corridor” and hereinafter referred to as the “proposed route”. We appreciate the opportunity to comment on the resources under our jurisdiction that may be potentially impacted by this project as well as provide preliminary information on the applicable permits and authorizations required of Palmetto Railways (hereinafter referred to as *the Applicant*) in order to commence construction.

Resource Considerations:

In order to analyze those resources that may be potentially impacted, we mapped the proposed route, using the KML file obtainable from your project website, to identify potential crossings at roadways (public and private) and drainage conveyances as well as impacts to private properties and conserved lands (please see enclosed map in Appendix A). I also reached out to representatives from Berkeley County Water and Sanitation (BCWS), Engineering/Stormwater, Roads & Bridges, and the Administration to obtain their feedback. Our analysis follows:

Roadways:

A listing of “named” roads that will be crossed by the proposed route is provided below. Please note that there are a number of unnamed, private forestry roads that will be impacted by the proposed route that are not included in this list. From our analysis, ten (10) publically-maintained roads will be crossed by the proposed route (see highlighted roads below). A county-

maintained segment of George Wigfall Road is located approximately 500 linear feet east from the proposed route; should the alignment shift, this county-maintained road may be impacted.

STREET	ALT NAME	COMMUNITY	ZIP	MAINTENANCE	STATE ID
MIKEY RD		CROSS	29436	PRIVATE; UNKNOWN	
VIPER RD		PINEVILLE	29468	STATE SECONDARY	S-8-708
RANGER DR	HWY 6	CROSS	29436	STATE SECONDARY	S-8-132
ROYALEGATES CT		CROSS	29436	PRIVATE; UNKNOWN	
*GEORGE WIGFALL RD		CROSS	29436	COUNTY PAVED	
MUDVILLE RD		CROSS	29436	STATE SECONDARY	S-8-135
STATE RD	HWY 176	RIDGEVILLE	29472	US HIGHWAY	
SHORT CUT RD		CROSS	29436	STATE SECONDARY	S-8-60
CALAMUS POND RD		SUMMERVILLE	29486	PRIVATE; UNKNOWN	
FISH RD		RIDGEVILLE	29472	STATE SECONDARY	S-8-309
OLD HIGHWAY 6	HWY 45	CROSS	29436	STATE HIGHWAY	
HWY 311		CROSS	29436	STATE HIGHWAY	
FISH RD		RIDGEVILLE	29472	STATE SECONDARY	S-8-309
VOLVO CAR DR		RIDGEVILLE	29472	COUNTY MAINTAINED	
*Proximate to proposed alignment; may be impacted should alignment shift					

Stormwater Drainage:

There are two (2) county-maintained blue-line ditches that will be crossed by the proposed route; one is located just south of the Royalegates Court crossing, and the other is located just west of the Ranger Drive Crossing (see the enclosed map exhibit found in Appendix A).

Utilities:

Berkeley County Water and Sanitation (BCWS) provided the following information pertaining to proposed utilities crossings identified in the proposed route:

- Crosses 6" PVC water main along Mudville Rd. near 2978 Mudville Rd. [33°16'47.80" N 80°10'24.11" W]
- Crosses 12" PVC water main along Highway 311 between Jungle Ln and OHP. [33°16'55.54" N 80°10'27.68" W].
- Crosses 12" PVC water main along Short Cut Rd near 1480 Short Cut Rd. [33°20'24.28"N 80°10'43.79" W]
- Crosses 12" PVC water main along Old Highway 6 near 1139 Old Highway 6 [33°21'00.22" N 80°09'10.94" W]
- Crosses 8" PVC water main along Ranger Dr. near 2253 Ranger Dr. [33°21'17.64" N 80°08'13.95" W]
- Cross 20" PVC water main along HWY 176 near the intersection of HWY 176 and Volvo Car Drive.
- Cross 16" PVC Water main along Volvo Car Drive.

*Please note that BCWS provided information on potential crossings for each route alternative assessed as part of the NEPA alternatives analysis. These findings are provided in Appendix B.

Other Considerations – Quality of Life:

We identified twenty-seven (27) parcels that will be crossed by the proposed alignment. While the fabric comprising the "Cross Corridor" is marked by low density rural residential and agricultural land use patterns, it is our hope that strides will be taken to preserve the tranquil, rural quality of life, particularly in the nighttime hours.

Permitting/Authorizations Necessary to Commence Construction:

Planning and Zoning:

1. Plats that seek to create new rail right of way (ROW) or rail parcels will require review by the Planning and Zoning Department. If the plat qualifies as "exempt" it can be reviewed administratively. If the plat does not qualify as "exempt", it will be required to be reviewed at Plan/Plat Review Committee (PRC), which is a committee comprised of representatives from Planning, Engineering/Stormwater, Roads & Bridges, and BCWS. These plats will need to be approved by the Planning and Zoning Department before they can be recorded into the public record at the Register of Deeds (ROD). It is upon recordation of final plat at the ROD that any new parcels will be created by Real Property Services.
2. Construction drawings/site plans for the proposed route, including exhibits for roadway crossings as well as any accompanying switching stations, laydown/storage yards, or similar uses will be required to be submitted to the Planning Department for review in conjunction with any additional applicable County departments. Approval will need to be granted before any construction activity can commence and/or any building permit can be issued.

Engineering/Stormwater:

1. Any encroachments within or upon County maintained roadways and or drainage facilities (including County-maintained ditches), will require the issuance of Encroachment Permits by the Roads & Bridges Department. Engineering/Stormwater will perform a review of the proposed encroachments in association with any encroachment permit application submitted to the Roads & Bridges Department.
2. The proposed route is not within the County's MS4 regulated area. Therefore, stormwater permitting and SWPPP review/approval in association with the construction activity and/or land disturbing activity will be through the South Carolina Department of Health and Environmental Control – Ocean and Coastal Resources Management Division (SCDHEC/OCRM).
3. Engineering/Stormwater will review/approve civil site, stormwater, and SWPPP plans that would involve or require a Building Permit as required by Article III, Chapter 11, *Building & Building Regulations*.
4. It is worth noting that should an alternative route be selected that is located within the County's MS4 regulated area, the Berkeley County Stormwater Division will review the civil construction drawings/site plan package, land disturbance, stormwater, and SWPPP plans, and issue Construction Activity Application (CAA) approval (in addition to SCDHEC/OCRM permitting). Based on the NEPA alternatives analysis, those alternate routes that are located within the MS4 regulated area include: the Moncks Corner alignment, the Soter North alignment, and the Soter South alignment.

Roads & Bridges:

1. Encroachment Permits will be required for all proposed rail crossings within or upon any county-maintained road or drainage facility. The proposed route shows two potential crossings into county-maintained blue-line ditches as well as encroachment into Volvo Car Drive, which is presently a county-maintained roadway.

BCWS:

1. All utilities crossings will need to be agreed upon by BCWS and the Applicant. Berkeley County will not waive any prior rights through any of its easements and/or rights of way.

Thank you again for engaging us about this project. We look forward to working with the Applicant as this project progresses. Please feel free contact me if you have any questions or if you would like to convene in a conference call to discuss these findings further.

Alison R. Simmons, AICP



Director

Planning & Zoning Department

Direct: 843.719.4164

Cell: 843.291.7318

Alison.Simmons@Berkeleycountysc.gov

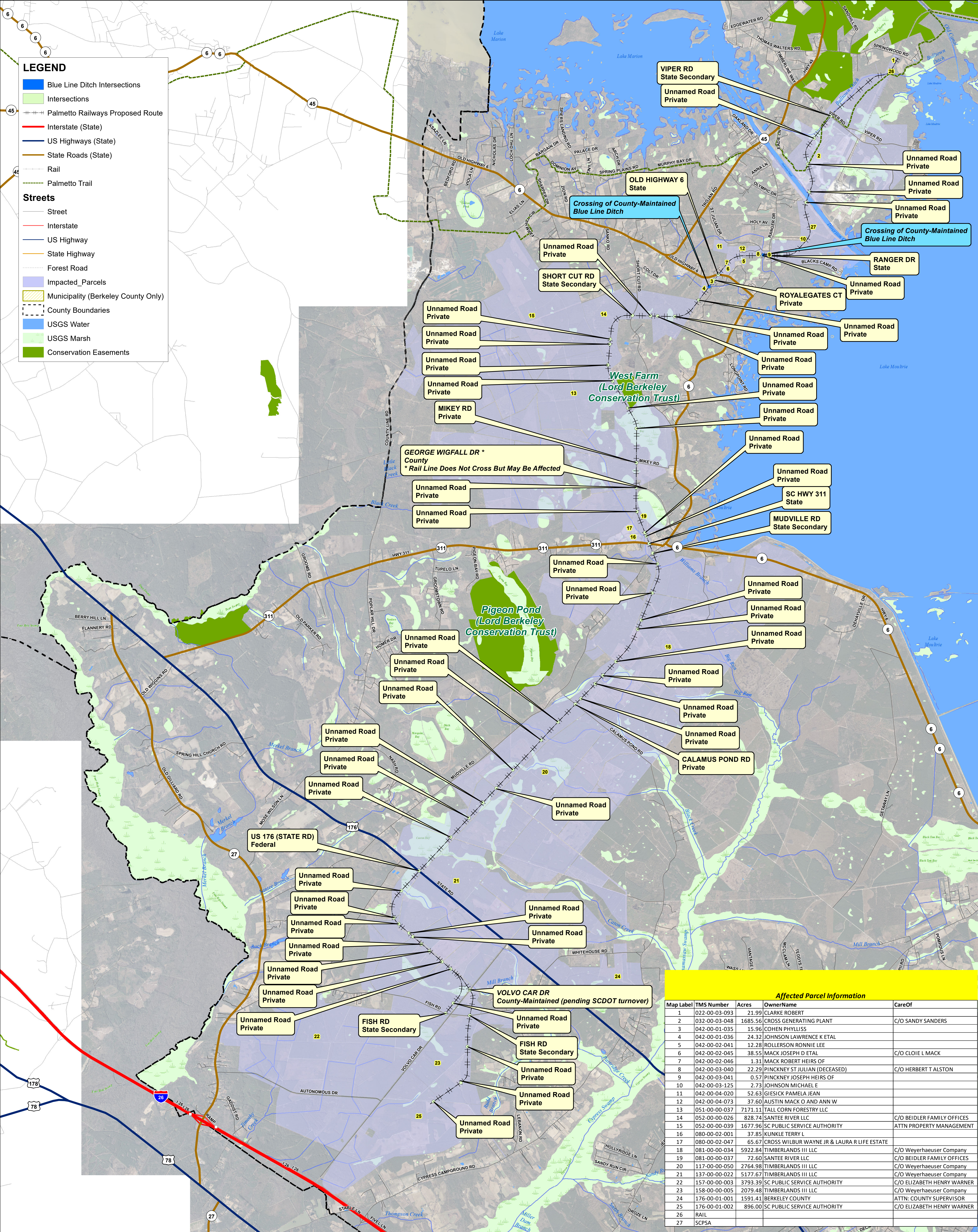
<https://www.berkeleycountysc.gov/drupal/zoning>

CC: Hon. William Peagler, County Supervisor
Les Blankenship, Deputy Supervisor
Doug Smits, Director, BCWS
Ashley Yeh, Director of Engineering, BCWS
John O. Williams, County Attorney
Thomas Lewis, County Engineer
Clint Busby, Deputy County Engineer
Danny Thrower, Director, Roads & Bridges
Thomas Moore, Planning Manager

Appendix A

Illustrative Map Depicting Proposed Route and Resource Considerations

Proposed Rail Line from Camp Hall to the Cross Generating Plant with Labelled Road Intersections



Appendix B

BCWS Utilities Impacts Associated with Each Route Alternative Assessed

BCWS ASSESSMENT OF ALTERNATIVES: POTENTIAL UTILITY CROSSINGS

Tier 1:

NS Alignment:

- Crosses 10" FM along I-26 near Ridgville Rd and I-26 intersection. [33°08'02.23" N 80°18'08.15" W].

Soter South:

- Crosses 14" PVC water main and 8" FM near Jedburg Rd and BEC substation. [33°05'18.22" N 80°12'00.27" W].
- Crosses 20" PVC & 8" FM past Nexton Elementary School. [33°04'24.44" N 80°08'15.15" W].
- Crosses 36" DIP transmission main along OHP, located within TMS# 222-00-00-051. [33°04'20.83" N 80°06'28.06" W].
- Crosses 16" PVC FM & 12" DIP water main along Highway 176, between S Live Oak Dr. intersection and OHP. [33°04'10.74" N 80°05'55.00" W].
- Crosses 12" DIP water main along S Live Oak Dr., between Highway 176 intersection and OHP. [33°04'02.08" N 80°05'26.12" W].
- Crosses 24" DIP transmission main along OHP within TMS# 223-00-00-019. [33°03'48.25" N 80°04'37.63" W].
- Crosses 18" DIP FM at the CSX transportation connection (FM on east side of CSX line)

Soter North:

- Crosses 24" DIP transmission main along OHP within TMS# 223-00-00-019. [33°05'50.61" N 80°04'37.57" W].
- Crosses 36" DIP transmission main along OHP across from 236 Lawrence Rd. [33°04'25.20" N 80°05'25.63" W].
- Crosses 12" DIP water main & 16" PVC FM along Highway 176, located between Domingo Dr. and OHP [33°04'25.20" N 80°06'08.84" W]. (Line shown running along the FM on Highway 176).
- Crosses 12" PVC at the intersection of Highway 176 and Cane Bay Blvd. [33°06'13.94" N 80°07'37.21" W].
- Shown on the back of the water tower near the intersection of Black Tom Rd and Highway 176. [33°08'24.13" N 80°09'26.15" W].
- Crosses 14" PVC water main at the intersection of Jedburg Rd and Highway 176. [33°08'30.82" N 80°09'38.56" W].

Moncks Corner:

- Crosses 12" PVC water main & 2" water service line near the intersection of Old Whitesville Rd and Hanna Rd. [33°12'06.60" N 80°02'54.20" W].
- Crosses 14" PVC water main along W Main St., near the intersection of W Main St. and Old Whitesville Rd. [33°12'13.61" N 80°02'30.01" W].
- Crosses 48" DIP transmission main that runs along OHP, roughly 1000' past Glencoe Dr. [33°12'37.46" N 80°01'38.30" W].
- Crosses 16" DIP transmission main at the tree line below the intersection of Thornford Ln and Broughton Rd. [33°13'14.17" N 80°01'03.10" W].
- Crosses 14" DIP water main leaving the water plant off of Water Plant Rd, and runs along the water main until it turns to merge with CSX transportation. [33°13'44.45" N 80°00'34.07" W].

Holly Hill/Eutawville:

- Crosses 10" PVC water main along Highway 311, between Poplar Hill Dr. intersection and Grooms Rd. [33°16'27.67" N 80°16'13.30" W].

Cross:

- Crosses 12" PVC water main along Highway 311 between Red Ash Ln and the OHP. [33°16'56.04" W 80°10'32.96" N].

Cross Continued:

- Crosses 12" PVC water main along Short Cut Rd near the intersection of Bolt Dr. [33°19'06.68" N 80°10'29.24" W].
- Crosses 12" PVC water main along Old Highway 6 near Royalgates Ct. [33°20'59.18" N 80°09'16.40" W].
- Crosses 8" PVC water main along Ranger Dr. near Jiminy Ln. [33°22'32.80" N 80°08'09.81" W].

Tier 2:

Tier 2 shows the same routes as Tier 1 except NS Alignment and Eutawville lines are removed.

Tier 3:

Cross Option 1:

- Crosses 6" PVC water main along Mudville Rd at 2978 Mudville Rd. [33°16'48.12" N 80°10'22.83" W].
- Crosses 12" PVC water main along Highway 311 between Jungle LN and OHP [33°16'55.36" N 80°10'26.17" W].
- Crosses 12" PVC water main along Short Cut Rd, past 1480 Short Cut Rd. [33°20'24.28" N 80°10'43.79" W].
- Crosses 12" PVC water main along Old Highway 6 near 1139 Old Highway 6. [33°21'00.22" N 80°09'10.94" W].

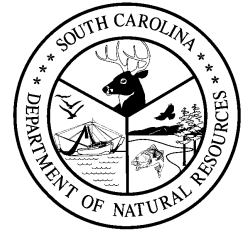
- Crosses 8" PVC water main along Ranger Dr. near 2563 Ranger Dr. [33°22'28.62" N 80°08'08.23" W].

Cross Option 2:

- Crosses 8" PVC water main along Ranger Dr. near 2253 Ranger Dr. [33°21'17.64" N 80°08'13.95" W].

South Carolina Department of Natural Resources

PO Box 12559
Charleston, SC 29422
843.953.9003 Office
843.953.9399 Fax
Daviss@dnr.sc.gov



Alvin A. Taylor
Director
Lorianne Riffin
Director, Office of
Environmental Programs

September 28, 2017

Ms. Diana Wood
Surface Transportation Board
Docket No. FD 36095
C/o ICF
9300 Lee Highway
Fairfax, VA 22031

Ms. Courtney Stevens
U. S. Army Corps of Engineers
69-A Hagood Avenue
Charleston, SC 29403-5107

Re: STB Finance Docket No. 36095, Palmetto Railways – Construction and Operation
Exemption, Berkeley County, SC; Preliminary Consultation

Dear Ms. Wood and Ms. Stevens:

As you know, Palmetto Railways has filed a petition for exemption with the Surface Transportation Board (Board) pursuant to 49 U.S.C. §§ 10502 and 10901 in Docket No. FD 36095 for authority to construct and operate a new rail line in Berkeley County, South Carolina. The proposed rail line would provide rail service from the existing 6,781-acre Camp Hall Commerce Park to the A-Line of CSX Transportation Inc. (CSXT) near the Santee Cooper Generating Station. The stated purpose of the project is to bring rail service to the industrial park, to support area infrastructure needs, and to alleviate highway congestion involving large commercial trucks.

We understand that The Board's Office of Environmental Analysis (OEA) together with the United States Army Corps of Engineers (Corps), as joint lead agencies, are evaluating the potential environmental effects of the proposed project and are soliciting input from the resource and regulatory agencies regarding potential impacts to resources of concern to our agency.

As an agency mandated to protect and conserve the natural resources of this state, we have a strong interest in the construction of the proposed rail line. According to the Environmental Report dated July 25, 2017 prepared for this project, approximately 83.18 acres of jurisdictional wetlands will be impacted by project construction. Wetland

areas provide valuable habitat for fish and wildlife and are essential in maintaining water quality in adjoining water bodies. Careful consideration should be given to avoiding wetland impacts whenever possible and minimizing unavoidable impacts to the maximum extent possible. Means for avoiding and minimizing wetland impacts should be incorporated early on in the planning and design stages and should include such things as bridging and culverting wetland crossings, reduced right-of-way widths, and the use of minimal disturbance construction methods. The project corridor also crosses open water at the Diversion Canal between the Santee-Cooper lakes. In an effort to minimize impacts to diadromous fish (American shad, blueback herring, and hickory shad) spawning runs, construction should be excluded between January and April.

As a part of the permitting of the Camp Hall Commerce Park (P/N 2015-01764), a significant area of wetlands on-site was set aside as mitigation for project impacts. There is a large area of wetlands designated as preservation located in the northeast corner of the Park where the rail line comes onto the property. Every effort should be made to avoid existing on-site mitigation areas in the planning and final design of this project.

The Protected Species Assessment dated July 25, 2017 included in the Environmental Report submitted for this project outlines the survey protocol used in identifying potential habitat that could support threatened or endangered species along the project corridor, including the Red-cockaded woodpecker (RCW). Due to access constraints, only the project corridor (200' wide area) was assessed for RCW's. The minimum distance heavy machinery can come within active RCW cavity trees during RCW breeding season is 200', necessitating the need for a survey boundary of 200' on either side of the project corridor. Site visits conducted by SCDNR staff identified some areas of potential suitable habitat that will require further review within the current 200' corridor (see attached maps). For questions regarding these survey recommendations, please contact Ms. Caroline Causey (SCDNR RCW Project Leader) at 803-603-9391 or CauseyC@dnr.sc.gov.

South Carolina State Wildlife Action Plan (SWAP) species have been documented near the project corridor. SWAP species are those species of greatest conservation need not traditionally covered under any federal funded programs. Species are listed in the SWAP because they are rare or designated as at-risk due to knowledge deficiencies; species common in South Carolina, but listed rare or declining elsewhere; or species that serve as indicators of detrimental environmental conditions. SCDNR recommends that appropriate measures should always be taken to minimize or avoid impacts to these species of concern. Occurrences of Cedar Creek Crayfish (<http://www.dnr.sc.gov/swap/supplemental/crayfish/cedarcreekrayfish2015.pdf>) and Black Mottled Crayfish (<http://www.dnr.sc.gov/swap/supplemental/crayfish/blackmottledcrayfish2015.pdf>) have been documented approximately 2 miles to the west of the Diversion Canal crossing. Other possible crayfish in this area include the Santee Crayfish (<http://www.dnr.sc.gov/swap/supplemental/crayfish/santeecrayfish2015.pdf>).

Under Section 6.1.1.1 (Recreation and Land Stewardship) of the Environmental Report for this project, protected and conserved lands in the project corridor are described. In

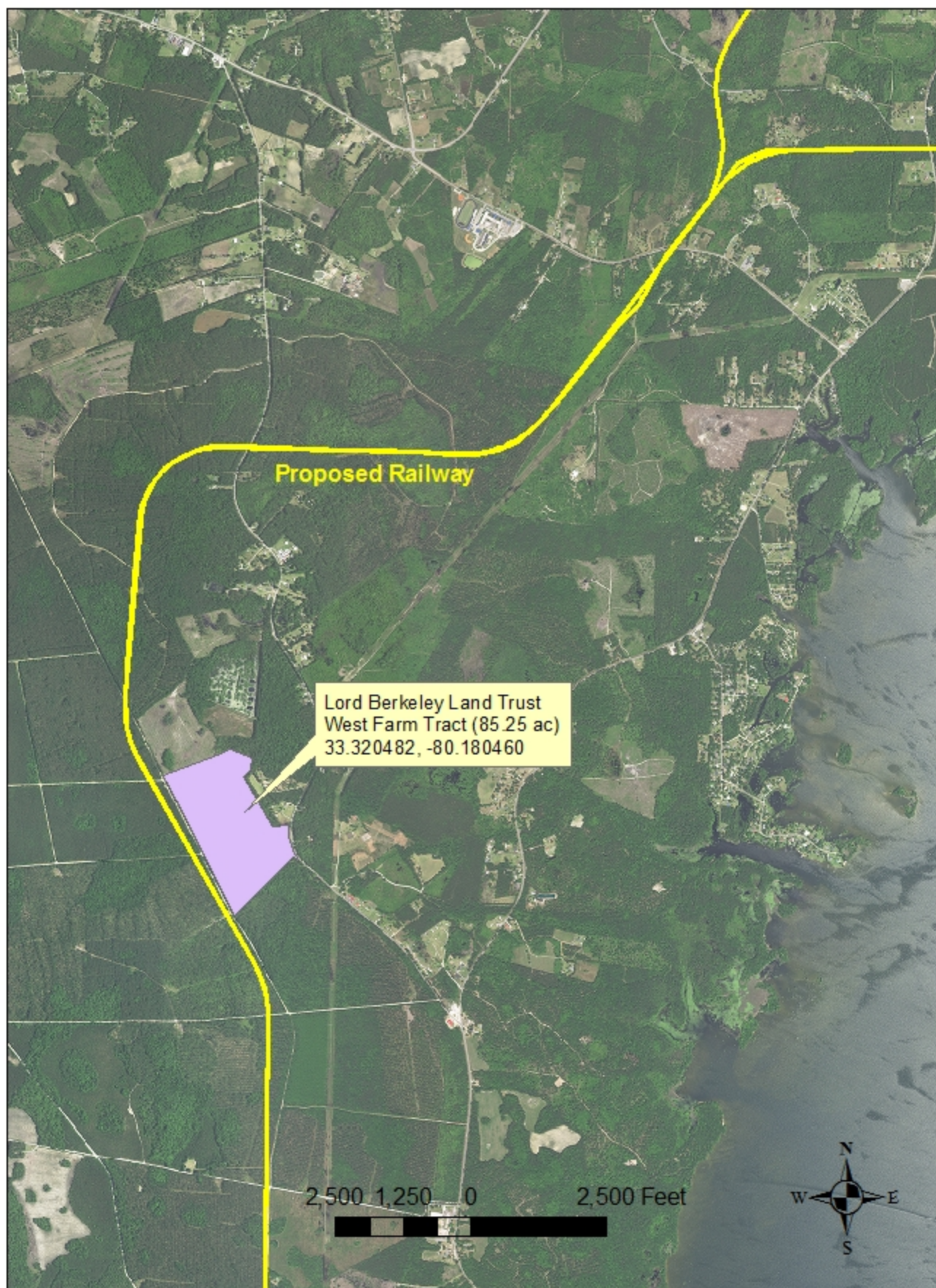
reviewing our protected lands database, we identified a conservation property located immediately east of the project corridor (see attached map). This property consists of 85.25 acres of land held under a conservation easement by the Lord Berkeley Land Trust. Every effort should be made to avoid encroachment into this area in the planning and final design of this project.

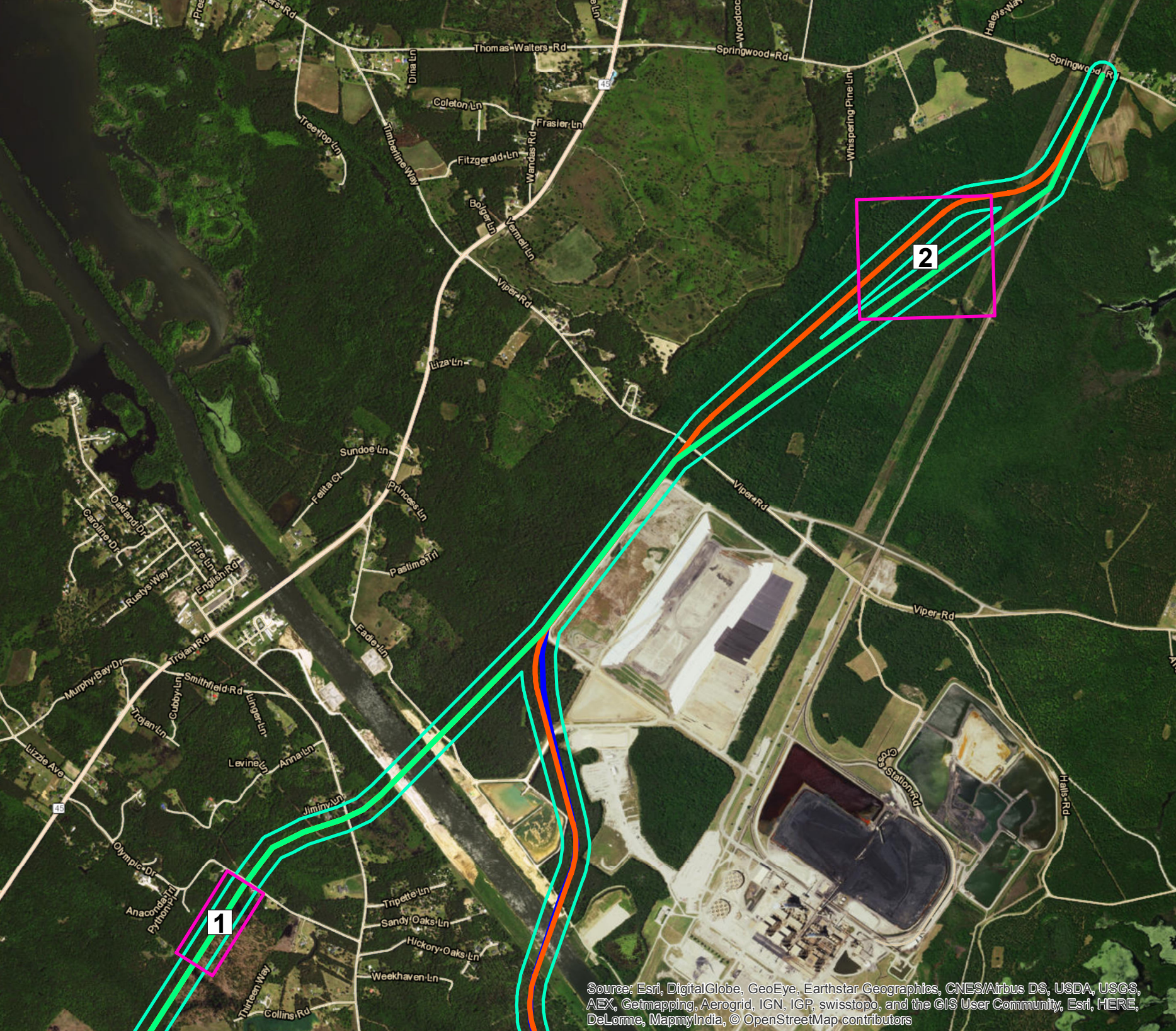
We appreciate the opportunity to provide input in the early stages of this project and will be available for future input. If you have any questions regarding these comments, please contact me at daviss@dnr.sc.gov or 843.953.9003.

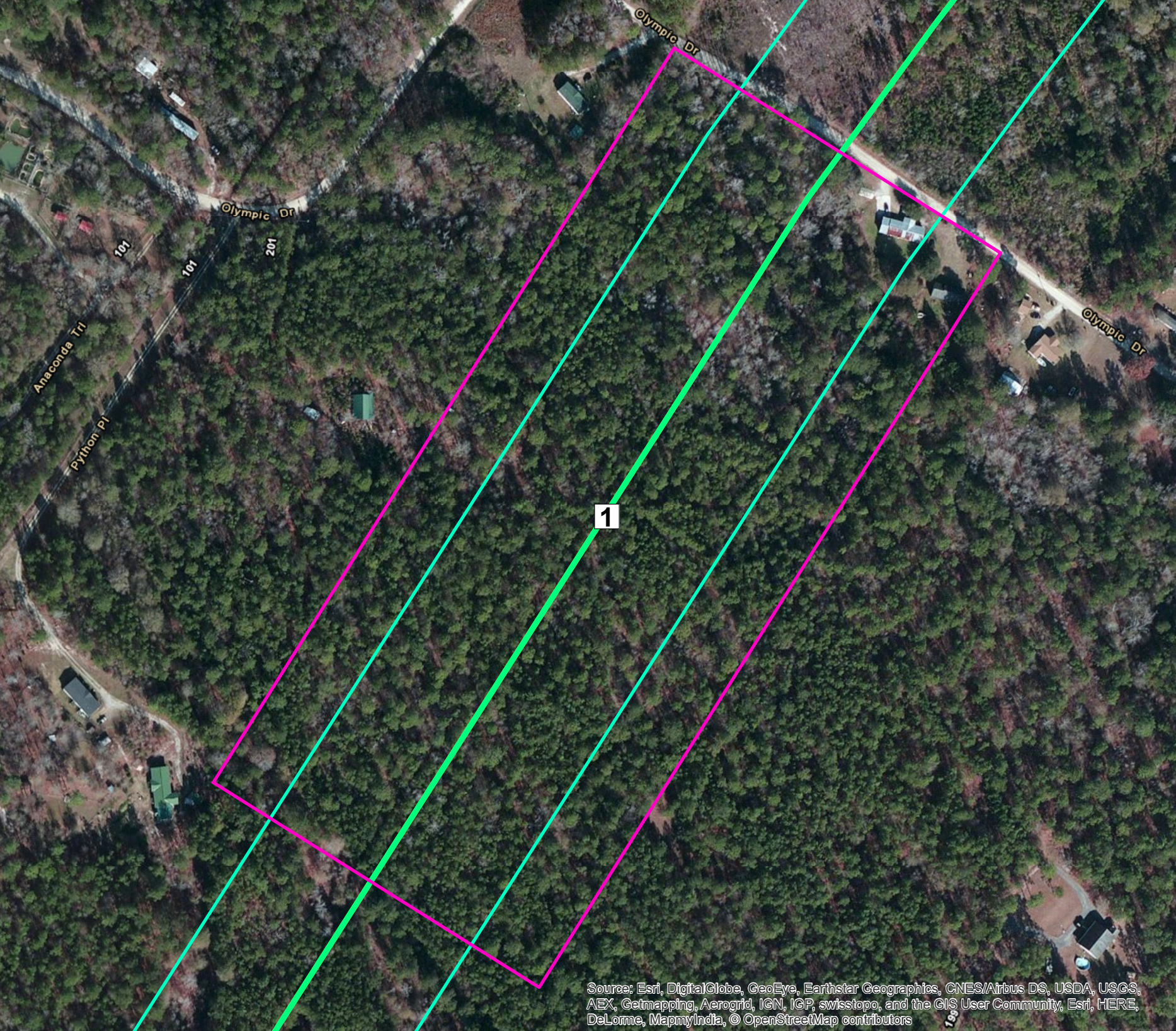
Sincerely,

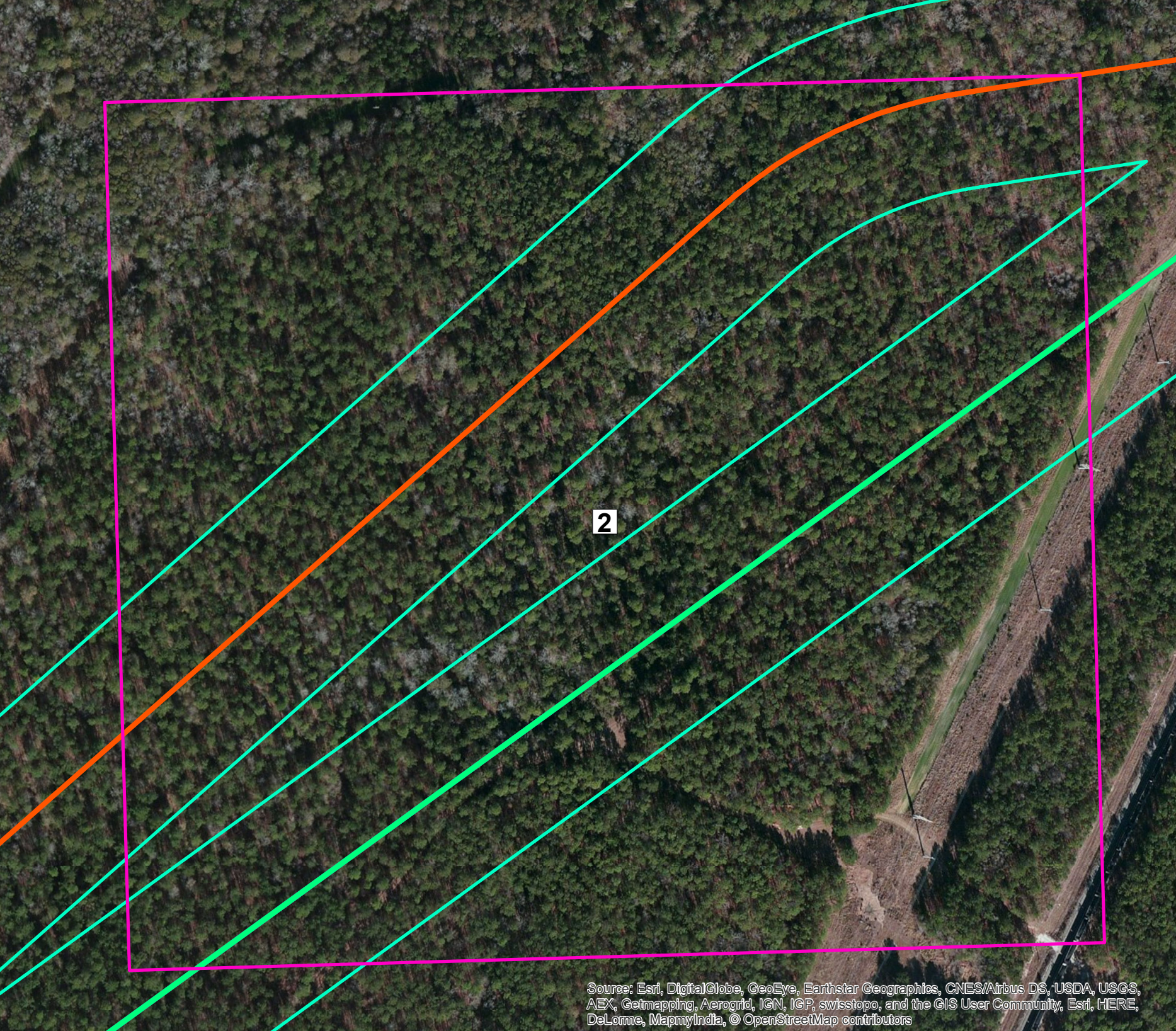
Susan F. Davis

Susan F. Davis
Coastal Environmental Coordinator









2

From: Lewis, Keely [<mailto:KLewis@scdah.sc.gov>]

Sent: Wednesday, October 04, 2017 3:48 PM

To: Wood, Diana <Diana.Wood@stb.gov>

Subject: Camp Hall Rail Project, CRS - SHPO Project No. 16EJ0087, SAC-2016-01395, STB Docket No. FD36095

Dear Ms. Wood:

Thank you for your email regarding the Palmetto Railways Camp Hall Rail Project (SAC-2016-01395/STB Docket No. FD 36095). We also received the preliminary consultation letter entitled "STB Finance Docket No. 36095, Palmetto Railways—Construction and Operation Exemption-In Berkeley County, South Carolina" as supporting documentation for this undertaking. The State Historic Preservation Office (SHPO) is providing comments to the Surface Transportation Board (STB) and Corps of Engineers (Corps) 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.

Thank you for your email acknowledging that you received our comments letter regarding the cultural resources survey and updating our office on the status of the project. We look forward to working with you on this project as it moves forward in the Section 106 process.

Thank you for the opportunity to comment. If you have any questions, please contact me at (803) 896-6181 or KLewis@scdah.sc.gov.

Sincerely,
Keely Lewis

Keely Lewis

Archaeologist
State Historic Preservation Office
SC Dept. of Archives & History
8301 Parklane Rd.
Columbia, SC 29223-4905
(803) 896-6181
KLewis@scdah.sc.gov
<http://shpo.sc.gov>



Comments from the South Carolina Department of Health and Environmental Control Environmental Review of Proposed Palmetto Railways Line

October 5, 2017

The South Carolina Department of Health and Environmental Control (DHEC) has received the September 8, 2017 letter from the Surface Transportation Board requesting information related to the environmental review of a proposed Palmetto Railways line in Berkeley County. Below are comments from DHEC on the proposed project.

The proposed project will likely need the following permits and approvals from DHEC prior to construction. Other permits or approvals may be needed depending upon project details.

Stormwater Construction Permit

Wetlands 401 Certification

Navigable Waters Permit (likely incorporated into 401 Certification)

Coastal Zone Consistency Certification

Any structures (commercial or residential) that would need to be demolished for this project would be subject to the Asbestos regulations and would need asbestos inspections and appropriate asbestos permits from DHEC.

The proposed railway project does not appear to need a solid waste permit; however, Palmetto Railways, through its consultant (SM&E) has requested approval to use coal combustion residuals (coal ash) in lieu of dirt for the embankment of the railway. The coal ash is proposed for use primarily in the area where the railway will have to be built 50 feet above the canal. DHEC understands that Palmetto Railways would like to use coal ash due to the cost and limited amount of fill material in the Charleston area and because there is ample coal ash in the area. DHEC has conveyed to SM&E that technical information should be submitted to demonstrate that the coal ash will not leach into the groundwater. DHEC has requested that a workplan with proposed project details be submitted for review and an approval decision.

See attached comments from the DHEC Office of Ocean and Coastal Resource Management.

SCDHEC OCRM Addendum

This addendum is provided in response to the Surface Transportation Board (STB) letter dated September 8, 2017. SCDHEC's Office of Ocean and Coastal Resource Management comments below relate to permits and approvals that will be required for the review of potential project effects on coastal (environmental) resources.

Project Summary:

As stated in the above referenced letter, the planned project will consist of the construction and operation of a 22.70 mile rail line from the Camp Hall Commerce Park to a connection with the existing CSX Transportation rail line immediately north of Santee Cooper's Cross Generating Station.

Coastal Zone Consistency processes:

The planned project will occur entirely in Berkeley County, which is located within the State's Coastal Zone and is subject to the enforceable policies contained within the S. C. Coastal Zone Management Program through the Coastal Zone Consistency (CZC) review process. The project is not located in the state defined Critical Area and therefore a Critical Area permit will not be required. The Coastal Zone Consistency review of the S. C. Coastal Zone Management Program (SCCZMP) enforceable policies would be triggered by:

Federal Consistency:

(1) A Federal section 401/404 permit application from Palmetto Railways to the STB/U. S. Army Corps of Engineers pursuant to 15 CFR 930 Subpart D – Consistency of Activities Requiring a Federal License or Permit. The Federal 401/404 permit review generally accounts for broad spectrum environmental effects. The allowable timeframe for a Subpart D review is 180 days from constructive notice (ACOE Public Notice).

State Consistency:

(2) A NPDES Land Disturbance permit application from Palmetto Railways to SCDHEC's Bureau of Water pursuant to Regulation 72-300 for the treatment of stormwater runoff associated with the project. The timeframe for the review is a goal of 30 days from the date all required information is received.

Reviewable SCCZMP Policies:

As part of the review for consistency for both Federal and State permits, CZC staff will review the following enforceable policies contained within the SCCZMP: (1) Guidelines for All Projects, (2) Transportation (Railways), (3) Activities in Special Resource Areas (Wetlands), (4) Stormwater Management and any other applicable policy that might be required based upon a refinements to the project details. Finally, CZC staff would review for any effects to Geographic Areas of Particular Concern, which consists of Areas of Unique Natural Resource, Activities Dependent on a Coastal Location, and Areas of Special, Historic Archaeological or Cultural Significance. The SCCZMP enforceable policies and GAPC's can be found at:

www.scdhec.gov/Agency/RegulationsAndUpdates/LawsAndRegulations/Coastal.

The point of contacts for SCDHEC OCRM for this project will be:

Curtis M. Joyner
Manager, Coastal Zone Consistency Section
SCDHEC OCRM
1362 McMillan Avenue, Suite 400
Charleston, S. C. 29405
843-953-0205
joynercm@dhec.sc.gov

and

Christine Koczera
Project Manager, Coastal Zone Consistency Section
Same address
843-953-0702
kozcerc@dhec.sc.gov



Hugh E. Weathers
Commissioner

State of South Carolina
Department of Agriculture

Wade Hampton Office Building
P.O. Box 11280
Columbia, S.C. 29211
Telephone: (803) 734-2190
Fax: (803) 734-2192
E-Mail: hweathe@scda.sc.gov

October 6, 2017

Ms. Victoria Rutson, Esq.
Director, Office of Environmental Analysis
Surface Transportation Board
395 E Street, SW
Washington, DC 20423-0001

Mr. Travis Hughes
Chief, Regulatory Division
U.S. Army Corps of Engineers, Charleston District
69-A Hagood Ave.
Charleston, S.C. 29403

Re: Palmetto Railways Camp Hall Rail Project; STB Docket No. FD 36095

Dear Ms. Rutson and Mr. Hughes:

I am writing you today to demonstrate my strong support for the proposed development of an industrial rail line by Palmetto Railways that will provide rail service from the Camp Hall Commerce Park in Berkeley County, SC to the A-Line of CSX Transportation, Inc. (CSXT).

SCDA is an agency of the State of South Carolina whose mission is to promote and foster the development and growth of the agriculture industry and its associated business within South Carolina, while assuring the protection and safety of the public. Currently, South Carolina boasts nearly 25,000 farms that encompass approximately 4.9 million acres of land. South Carolina-grown products, which are exported, are highly sought-after and ranked throughout the country and abroad, including fruits and vegetables, livestock, and ornamental horticulture, nursery, and turf grass industries. South Carolina's agribusiness is worth approximately \$3 billion annually. In addition, forests encompass nearly 70% of South Carolina's total land area, and are essential for the economy, environment, and quality of life. Forestry is among the top manufacturing industries annually in South Carolina, with a total annual economic impact of approximately \$17 billion, of which \$1.4 billion in forest products are exports.

South Carolina's agrarian resources are also a key component of economic development efforts. Companies want to invest where they can enhance their competitiveness and profitability, and South Carolina's agricultural industry helps to make it a competitive and attractive option for any industry. South Carolina has an abundance of available raw materials from agriculture and forest products, which help to entice businesses wanting to expand or locate in South Carolina. With a year-round growing season, fertile soil, productive farms and experienced farmers, South Carolina is also within a 24-hour reach of 100 million people. South Carolina has natural, renewable, and human resources, a ready workforce that is both educated and trained, and an infrastructure of highways, rail systems, and a world-class port that help it be significant player in the export market.

SCDA believes that agribusiness in South Carolina will derive substantial direct and indirect benefits from the development of the Camp Hall Rail Project by Palmetto Railways. As a general proposition, short line rail operations can help play a vital role in connecting local agricultural and industrial operations to Class I rail networks. In many cases, short line railroads serve farmers in agricultural and timber-growing communities by transporting their goods to larger networks which, in turn, connect those goods to national and global markets. Such is the case here, as the Camp Hall Commerce Park area to the east of Interstate 26 is currently underserved by rail opportunities, and the project's proposed connection to the CSXT A-Line will provide connectivity to the existing and future industries in the area, including agribusiness. This additional connectivity and increased number of transportation options afforded by the line will support, rather than inhibit, the growth of the agriculture business in South Carolina and will open opportunities for new growth. In addition, provision of a rail transportation option to the expected growth in this area will confer a valuable benefit to regional communities by reducing current and future traffic congestion from the local and State highway networks, where currently only truck-based transportation alternatives for agribusiness are available.

In summary, following a review of the proposed Camp Hall Rail Line, SCDA believes that the Camp Hall Rail Line will benefit the agriculture industry in South Carolina and therefore offers its support behind the proposed project. SCDA respectfully requests that the Surface Transportation Board and the U.S. Army Corps of Engineers move expeditiously to approve the pending petition for exemption and permit application for the proposed.

Sincerely,

A handwritten signature in black ink, reading "Hugh E. Weathers" with a stylized flourish at the end.

Hugh E. Weathers
Commissioner of Agriculture



Healthy People. Healthy Communities.

October 10, 2017

Ms. Diana Wood
Surface Transportation Board
Docket No. FD 36095
c/o ICF
9300 Lee Highway
Fairfax, VA 22031

Re: Berkeley County New Rail Line Construction

Dear Ms. Wood:

On September 13, 2017, we received your letter, dated September 8, 2017, about the proposed new Palmetto Railways rail line in Berkeley County, SC. *Based on the information provided, I am responding on behalf of the South Carolina Department of Health and Environmental Control, Bureau of Air Quality (Bureau).* Please send all future inquiries to my attention.

The Bureau is tasked with implementing the Federal Clean Air Act (1990, as amended) in the State of South Carolina. The Bureau is required to ensure compliance with the National Ambient Air Quality Standards (NAAQS) for criteria pollutants. Currently two criteria pollutants are of particular concern in South Carolina:

- **Ozone** – The 2015 8-hour primary and secondary standards of 70 parts per billion (ppb) were finalized on October 26, 2015. The area represented in this proposal is currently meeting the 2015 ozone standards. Designations for these standards are anticipated in October 2018.
- **Particulate Matter 2.5** (Particulates 2.5 microns in size and smaller) – The 2012 standard for maximum daily concentration is set at 35 micrograms per cubic meter. The 2012 standard for the maximum annual concentration is set at 12 micrograms per cubic meter. The area represented in this proposal is meeting the 2012 particulate matter 2.5 standards.

South Carolina is currently attaining all of the NAAQS, but may face nonattainment when designations for the new ozone standards are made. If a project is located in a nonattainment area, it may be subject to prescriptive requirements such as Transportation Conformity or air quality modeling.

An asbestos survey and project license may be required prior to any demolition activities such as deconstruction of a building or removal of structures in the right-of-way of a road project. If

you have any questions regarding asbestos regulatory applicability you may contact Marc McKenna (with the Bureau's Asbestos Section) at (803) 898-4270 or mckennmt@dhec.sc.gov.

All necessary environmental permits for the subject project must be obtained in accordance with applicable state and federal regulations. If you have not already done so, please contact the Bureau of Water at (803) 898-4300 and the Bureau of Land and Waste Management at (803) 898-2000 for input regarding those program areas' assessments of this proposed project.

Emissions from diesel equipment are regulated by federal standards. The Bureau would like to offer the following suggestions on how this project can help us stay in compliance with the NAAQS. More importantly, these strategies are beneficial to the health of citizens of South Carolina.

- Utilize alternatively fueled equipment.
- Utilize emission controls applicable to your equipment.
- Reduce idling time on equipment.
- Fugitive dust emissions should be minimized through good operating practices.

The Bureau can provide model clean construction contract language. A vendor may need to retrofit, repower or replace older and more polluting diesel construction equipment in order to satisfy clean construction requirements. These types of projects can be financed with Congestion Mitigation and Air Quality (CMAQ) funds, and are in fact a high priority for CMAQ funding. Please contact our office if assistance is needed.

Thank you for the opportunity to comment on this project. Should you have any further questions or comments concerning this matter, please do not hesitate to contact me at (803) 898-4122 or at robertln@dhec.sc.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "L. Nelson Roberts, Jr.", with a stylized flourish at the end.

L. Nelson Roberts, Jr., Manager
Air Initiatives and Mobile Sources Section
Bureau of Air Quality

cc: Wendy Boswell, Lowcountry EQC McMillan Office boswelwm@dhec.sc.gov



September 30, 2017

Surface Transportation Board
Ms. Diana Wood
Docet NO. FD 36095
C/o ICF
9300 Lee Hey
Fairfax VA 22031

RE: Bureau of Water Environmental Review Response for STB Finance NO 36095, Palmetto Railways Project

Dear Ms Wood:

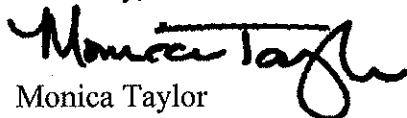
The South Carolina Department of Health and Environmental Control's Bureau of Water (Bureau) has received your request for a review of the above project. Our Bureau protects water quality through implementation of its regulations. This coordinated response represents all program areas within the Bureau, but does not represent a review of other potential regulatory requirements administered by other SCDHEC Bureaus. To ensure protection and maintenance of water resources, the Bureau recommends the following issues be addressed when planning and carrying out this project:

- ☐ No apparent impacts to water quality. No Bureau permits required.
- ☐ Any non-point discharges into a stream or river from construction areas of one acre or more will require a Bureau administered Stormwater Management and Sediment Control Permit. Construction areas of one acre or more will also be subject to NPDES Stormwater permit regulations.
- ☒ Any placement of fill material or dredging in waters of the State, including jurisdictional wetlands, will require a Bureau administered Section 401 Certification and an Army Corps of Engineers administered Section 404 Permit. When evaluating application for fill in wetlands, demonstration of avoidance and minimization of wetland impacts and mitigation of unavoidable wetland impacts provides assurances that impacts have been lessened to the extent possible and that water quality standards will be upheld. Documentation of these measures will be required.
- ☐ A Construction in Navigable Waters Permit will be required for all construction within navigable waters of South Carolina.
- ☐ Drinking water system construction requires a permit from the Bureau. Our review of acceptability will occur with review of application for a permit. Also, the applicant should check with the local water utility on available capacity.
- ☐ Sewer system construction requires a permit from the Bureau. Our review of acceptability will occur with review of application for a permit. Also, the applicant should check with the local water utility on available capacity.

- ☐ With new businesses and other commercial or industrial operations, wastewater pretreatment permits or other local approvals may be required.
- ☐ Other:

Thank you for the opportunity to comment on this project. If you have any questions, please contact Monica Taylor at (803) 898-4176 or taylormn@dhec.sc.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Monica Taylor", with a stylized flourish at the end.

Monica Taylor
Bureau of Water



SURFACE TRANSPORTATION BOARD
Washington, DC 20423

RECEIVED

SEP 13 2017

Office of Environmental Analysis

Office of the Director
SC DHEC

September 8, 2017

South Carolina Department of Health and Environmental Control
Catherine Heigel
Director
2600 Bull St
Columbia, SC 29201

**RE: STB Finance Docket No. 36095, Palmetto Railways—Construction and
Operation Exemption—In Berkeley County, South Carolina; Preliminary
Consultation**

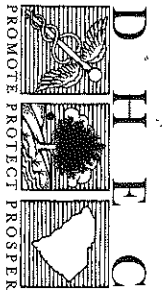
Dear Ms. Heigel:

On August 3, 2017 the 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 Surface Transportation Board's (Board) Office of Environmental Analysis (OEA) and the United States Army Corps of Engineers (Corps), Charleston District, are beginning the environmental review of the proposed rail line construction project in compliance with the National Environmental Policy Act and related laws and regulations.

The purpose of this letter is to advise you of the proposed rail line project, request information from your agency on the resources under your jurisdiction that could be affected by the proposed project, and identify permits and approvals that could be required of the Applicant.

Project Background

The proposed rail line would be a short-line rail track that begins at a new connection to the A-Line of CSX Transportation (CSXT) (through the CSXT Cross Subdivision connection), and ends within the Camp Hall Commerce Park, an industrial park currently under development in Ridgeville and near Interstate 26. The connection to CSXT would occur on the Santee Cooper property adjacent to its Cross Generating Station, and would cross the Diversion Canal between Lake Marion and Lake Moultrie, running south-southwest. South of the Diversion Canal, the right-of-way traverses the unincorporated rural community of Cross. Beyond the Cross



2600 Bull Street
Columbia, SC 29201

Return Service Requested

JYY-SMP 2201



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Phone: Unspecified
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South Carolina
Department of Transportation

Randall L. Young, P.E.
Chief Engineer for Project Delivery
803-737-7900 | 803-737-5053 Fax

December 7, 2017

Ms. Diana Wood
Surface Transportation Board
Docket No. FD 26095
c/o ICF
9300 Lee Highway
Fairfax, VA 22031

RE: STB Finance Docket No. 26095, Palmetto Railways-Construction and Operation Exemption
Berkeley County, South Carolina; Preliminary Consultation

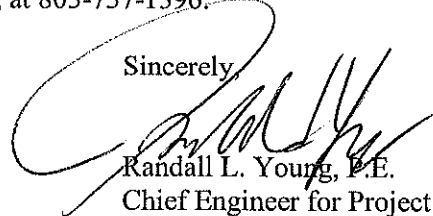
Dear Ms. Wood:

Thank you for your letter to Secretary of Transportation Christy Hall requesting information regarding how resources under our jurisdiction could be affected by the proposed project. Your letter also requests that we identify any permits and approvals that could be required by the applicant. The following comments are offered in response:

The proposed rail line has the potential to affect the safety and mobility of the traveling public. An encroachment permit would be required from our agency for any proposed work within the South Carolina Department of Transportation (SCDOT) right-of-way. Depending on the amount of work proposed within SCDOT's right-of-way, it may be beneficial to enter into some sort of governing agreement (e.g. Memorandum of Understanding) that defines the specific process and procedures for review and approval. Through the encroachment permit process, SCDOT would review any proposed plans to ensure that the proposed rail line would not adversely affect the safety and mobility of the travelling public or the Department's ability to maintain and enhance our existing transportation infrastructure. We would be happy to provide more specific comments about how the proposed rail line would affect resources under our jurisdiction once greater details or plans are made available. Please keep us informed about any future stakeholder meetings or field visits.

Thank you for the opportunity to comment. If you have any questions, please feel free to contact me or Chad Long, Director of Environmental Services, at 803-737-1396.

Sincerely,



Randall L. Young, P.E.
Chief Engineer for Project Delivery

RLY:bag

cc: Christy A. Hall, P.E., Secretary of Transportation
Leland Colvin, P.E., Deputy Secretary for Engineering
Ladd Gibson, P.E., Director of Preconstruction

File: Env/CCL
CTS 3042595



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Relevant Consultation with Federal Agencies, NGOs, Tribes



SURFACE TRANSPORTATION BOARD
Washington, DC 20423
Office of Environmental Analysis

April 23, 2018

David Bernhart
Assistant Regional Administrator
National Oceanic and Atmospheric Administration
National Marine Fisheries Service
Southeast Regional Office
Protected Resources Division
St. Petersburg, FLA 33701-5505

Re: Docket No. FD 36095, Palmetto Railways – Petition for Exemption – In Berkeley County, South Carolina; Endangered Species Act Section 7 Consultation Concurrence Request

Dear Mr. Bernhart:

On August 3, 2017, Palmetto Railways filed a petition for exemption with the Surface Transportation Board (Board) to construct approximately 22.7 miles of new rail line in Berkeley County, South Carolina. As a result of this petition, the Board's Office of Environmental Analysis (OEA) along with the Charleston District United States Army Corps of Engineers (Corps), as joint lead agencies, began to evaluate the potential environmental effects of the proposed project, pursuant to the National Environmental Policy Act of 1969 (NEPA).¹ On April 4, 2018, the Corps issued a Public Notice in response to an application submitted by Palmetto Railways 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.²

Pursuant to Section 7(a)(2) of the Endangered Species Act (ESA), OEA and the Corps are initiating consultation with the National Marine Fisheries Service (NMFS) on the potential effects that the proposed rail line may have on federally listed threatened and endangered species under NMFS jurisdiction. The following provides a brief project summary and assessment of federally listed species.

¹ A project specific website was created to provide information pertaining to the project and the environmental review process – <http://www.camphallrailnepa.com/>

² Public Notice P/N SAC 2016-1395 for Clean Water Act Section 404 permit and 401 Water Quality Certification; and Rivers and Harbors Act Section 10 Permit. Available: http://www.sac.usace.army.mil/Portals/43/docs/regulatory/publicnotices/April2018_PN/SAC-2016-1395_Camp_Hall_Rail_Berkeley_County.pdf?ver=2018-04-04-083256-310

Project Summary and Background

The proposed project involves the construction and operation of an industrial rail line that would connect the CSX Transportation (CSXT) Cross Subdivision, near the Santee Cooper Cross Generating Station, with the Camp Hall Commerce Park (see attached Project Location Map). The proposed rail corridor is approximately 22.7 miles long, varying in width, and would travel south and west, crossing the Diversion Canal between Lakes Marion and Moultrie (also known as the Santee-Cooper Lakes), through the unincorporated community of Cross, and then terminate in a “Y” configuration composed of two separate tracks (the Camp Hall Track and the Volvo Lead Track) at the Camp Hall Commerce Park site. The proposed rail line would service the new Volvo Cars manufacturing facility, as well as future proposed development within the Camp Hall Commerce Park. The purpose of the project is to connect the Camp Hall Commerce Park with an existing Class 1 rail line. The project need is derived from the increased demand that development of the commerce park will have on rail service that interconnects the commerce park with an existing Class 1 rail network.

Pursuant to NEPA and Clean Water Act Section 404(b)(1) guidelines, a detailed alternatives analysis was conducted to evaluate potential routes from existing Class 1 rail lines into the Camp Hall Commerce Park. This process resulted in two project alternatives – the Build and No-Build – that OEA and the Corps will carry forward for analysis in the Environmental Assessment (see Project Location Map).

Federally Listed Species

OEA and the Corps have reviewed the project area, examined all information provided by Palmetto Railways, and have determined, based on the most recently available information on federally listed species under NMFS jurisdiction, that the federally-endangered Atlantic sturgeon (*Acipenser oxyrinchus*) and shortnose sturgeon (*Acipenser brevirostrum*) could potentially occur in the Diversion Canal within proximity of a new rail bridge that would be constructed as part of the proposed project. The attached *NMFS Endangered Species Act Section 7 Checklist* (Checklist) includes information on the proposed Diversion Canal bridge crossing and is provided for your evaluation of the project.

Both sturgeons have been documented in the Santee-Cooper Lakes but their occurrence in the project area is rare, particularly the Atlantic sturgeon. With the construction of the Santee-Cooper Lakes and associated navigational lock and dam systems, the vast majority of the Santee and Cooper River systems is closed to anadromous fish, including the Atlantic and shortnose sturgeon. However, there is a dam-locked subpopulation of shortnose sturgeon currently present in the Santee-Cooper Lakes, and within the Diversion Canal. Between 2011 and 2016, the South Carolina Department of Natural Resources (SCDNR) hydrophone monitoring system detected nine shortnose sturgeon with residence times ranging from 1 to 2 days (SCDNR pers. comm. 2018).

The presence of Atlantic sturgeon in the Santee-Cooper Lakes is extremely rare and there is little information to support existence of a land-locked subpopulation in the Santee-Cooper

Lakes (SCDNR undated). In 1997, three adult Atlantic sturgeon carcasses were found in the Santee-Cooper Lakes, and in 2017, SCDNR found a tagged Atlantic sturgeon in the upper reach of the Cooper River that had entered Lake Moultrie through the Pinopolis Dam Navigation Lock on a presumed spawning run (SCDNR 2017). This was the first tagged Atlantic sturgeon documented in the Santee-Cooper Lakes. The fish, which remained in close vicinity to the dam and lock, presumably not able to exit, was relocated by SCDNR.

With the documented occurrence of both sturgeons in the Santee-Cooper Lakes, the known presence of shortnose sturgeon in the Diversion Canal, and the proposed in-water work to construct the rail bridge over the Diversion Canal, OEA and the Corps believe that construction of the proposed rail bridge over the Diversion Canal ***May Affect*** both species. However, given the rare occurrence of sturgeon in the Diversion Canal (particularly Atlantic sturgeon), and the construction methods and mitigation measures that Palmetto proposes to implement to minimize water quality impacts and underwater noise (as detailed in the attached Checklist), OEA and the Corps believe that potential impacts to these species would be insignificant and discountable and that the proposed project would ***Not Likely Adversely Affect*** these species. Therefore, pursuant to Section 7(a)(2) of the ESA, OEA and the Corps request NMFS' concurrence with this determination for Atlantic sturgeon and shortnose sturgeon.

Thank you for your assistance in this matter. Please feel free to contact Diana Wood of my staff at 202-245-0302 or by email at Diana.Wood@stb.gov, if you have any questions. I would appreciate two copies of your response, one sent to Diana Wood at 395 E Street SW, Washington DC 20423 or by email at the above address, and one sent to David Bauer of ICF, our independent third-party consultant, at 9300 Lee Highway Fairfax, VA 22031 or by email at David.Bauer@icf.com. We look forward to receiving your response at your earliest convenience.

Sincerely,



Victoria Rutson
Director, Office of Environmental Analysis

cc: Elizabeth Williams, U.S. Army Corps of Engineers

Attachments:

NMFS Endangered Species Act Section 7 Checklist

April 23, 2018

Page 4

Project Location Map

Diversion Canal Crossing Bridge Plan and Elevation

References:

South Carolina Department of Natural Resources (SCDNR). Undated. Sturgeons: Atlantic Sturgeon, *Acipenser oxyrinchus*; Shortnose sturgeon, *Acipenser brevirostrum*. Available: <http://www.dnr.sc.gov/cwcs/pdf/Sturgeon.pdf> Accessed: April 17, 2018.

SCDNR. 2017. DNR News. UPDATE: Imperiled fish rescued from Santee Cooper Lakes. June 21, 2017. Available: http://www.dnr.sc.gov/news/2017/june/jun6_sturgeon_update.html Accessed: April 17, 2018.

SCDNR. 2018. SCDNR 2011-2016 shortnose sturgeon hydrophone data in the Diversion Canal. Email personal communication with Joseph Moran and Elizabeth Williams (Corps). March 20, 2018.

NMFS Endangered Species Act Section 7 Checklist

For common, minor coastal construction projects

Updated 09/15/2015

A) Project Identification

Lead Action Agency:

Surface Transportation Board's (STB) Office of Environmental Analysis (OEA)

Agency Contact: (Phone, Email)

Ms. Diana Wood, (202)-245-0302, Diana.Wood@stb.gov

Applicant Name/ Contact: (Phone, Email)

Mr. Jeff McWhorter, Palmetto Railways, (843)-727-2067, jmcwhorter@palmettorail.com

Project Name & ID #:

Camp Hall Rail Line, STB Docket #36095

Are any aspects of the proposed project being authorized under a separate consultation? (SAJ general permits, GRBO, SARBO, NWP, Programmatic consultation, etc.)

No aspect of the proposed project is being authorized under a separate NMFS Endangered Species Act (ESA) Section 7 consultation. OEA has initiated informal consultation with the United States Fish and Wildlife Service (FWS) under the ESA Section 7 for federally listed species FWS their jurisdiction.

B) Project Location and Site Description

1. Address, including county and state, and description of property (public, residential, commercial, industrial, etc.):

The proposed project is a new rail line located within a linear corridor approximately 22.7 miles long, connecting the existing Camp Hall Commerce Park to the CSXT A-Line rail spur near the Santee Cooper Cross Generating Station in Berkeley County, South Carolina. This route runs south southwest from the Cross Generating Station, crossing the Diversion Canal between Lake Marion and Moultrie (via a proposed bridge), runs through unincorporated community of Cross, and South into the Camp Hall Commerce Park. Land use within the project corridor is generally a mix of residential, commercial, and silviculture. Much of the corridor passes through an area designated as FLEX1, which is an agricultural district per the Berkeley County Code of Ordinances. Between Cross and Camp hall Commerce Park, the land is intensely managed for timber. See Attached Project Location Map.

2. a) Latitude & Longitude:

i. Required to be submitted in Decimal Degrees and Datum (e.g., 27.71622 , -80.25174 [NAD83])

ii. Online conversion: <http://transition.fcc.gov/mb/audio/bickel/DDDMSS-decimal.html>

Begin: Latitude: 33.404614 degrees, Longitude: -80.098144 degrees; End (West terminus): Latitude: 33.142233 degrees, Longitude: -80.257528 degrees; END (East terminus): Latitude: 33.137912 degrees, Longitude: -80.254688 degrees. DATUM = WGS84. See Attached Project Location Map.

3. Waterbody:

i. Name of the body of water on which the project is located (St. Johns River, Tampa Bay, Suwannee River, etc.)

ii. If riverine or estuarine, approximate navigable distance from marine environment (e.g., Atlantic, Gulf of Mexico)

The waterbody crossed for which this consultation is being initiated is the Diversion Canal (canal that connects Lake Marion and Lake Moultrie). Palmetto is proposing a new rail bridge at this crossing at the following location: Latitude 33.369535 degrees, Longitude -80.125706 degrees (Datum = WGS84); the crossing runs north northeast to south southwest. The Diversion Canal is not an estuarine waterbody and the crossing location of the canal is approximately 40 miles (straight line distance) from the Atlantic Ocean. Other surface waters crossed by the proposed project (as identified by a field delineation) with no ESA concerns include Bulltown Ditch and Williams Branch.

C) Project Site Resource Description

1. Existing Structures: (Describe current structures in project area)

i. Marina, riprap, dock, etc.

ii. Number of slips. size (area of overwater structure), linear or square footage, location, orientation, etc.

There are no existing structures at the Diversion Canal crossing.

2. Existing Conditions: (Describe the project area)

i. Substrate type, water quality, depth, etc.

ii. List any alterations to substrate type, water quality, depth, etc, resulting from the proposed action (qualitative and quantitative)

The Diversion Canal is approximately 7.5 miles long, approximately 450 feet wide (at the proposed crossing), and has a depth of approximately 12 feet (but may be deeper in areas). The canal connects Lake Marion and Lake Moultrie. Water levels do not fluctuate greatly due to the dam systems of Lake Marion and Lake Moultrie (i.e., Pinopolis Dam). The bottom of the canal consists of sand and clay, with some sediments washed downstream from the Santee River. There is very little organic material or vegetation in the canal, and at the proposed crossing there is no vegetation. The canal was last dredged in 2014 to remove accumulated silt and sediments on the Lake Moultrie end of the canal. Based on South Carolina's Department of Health and Environmental Control's (DHEC) latest 303(d) listing of impaired waters (2016), the canal is impaired by mercury, which is based on data collected at water quality monitoring station CSTL-079 (approximately 1.25 miles from the proposed canal crossing at the Highway 45 bridge) (see DHEC's Water Atlas here: <https://gis.dhec.sc.gov/watersheds/>).

The proposed project would construct a rail bridge across the Diversion Canal. Alterations to substrate would include placement of eight 8 foot 6 inch drilled shaft foundations (i.e., cast-in-place concrete columns) in the canal bottom to support the rail bridge, which would result in a loss of benthic substrate habitat. During construction there could be temporary benthic substrate impacts during foundation installation from substrate disturbance adjacent to the foundation footprints. Construction could also temporarily affect water quality, causing an increase in turbidity levels and reduction of dissolved oxygen levels in the water column. Construction materials (including concrete) and accidental petro-chemical spills could also enter the water column which could temporarily degrade water quality conditions. It is anticipated that these potential temporary water quality impacts would be avoided or minimized through best management practices proposed by Palmetto Railways.

3. Seagrasses & Other Marine Vegetation

i. If a benthic survey was conducted provide date of survey and a copy of the report

ii. Species area of coverage estimates and density of species coverage (percentage) estimates

iii. Location relative to proposed structures. Provide detailed sketch of action area and location of marine vegetation

iv. List any impacts to seagrasses or other marine vegetation resulting from proposed action (square feet)

The Diversion Canal is not an estuarine or marine water; no seagrass or vegetation is present.

4. Mangroves

i. Species (red, black, or white)

ii. Area (square and linear feet). Provide detailed sketch of the action area and location of mangroves.

iii. List any impacts to mangroves resulting from the proposed action (square and linear feet)

The Diversion Canal is not an estuarine or marine water; no mangroves are present.

5. Corals

i. If a benthic survey was conducted provide date of survey and a copy of the report

ii. Species Present

iii. Area of coverage and density estimates (percentage, include estimates for each species)

iv. Location relative to proposed structures. Provide detailed sketch of action area and location of corals.

v. List any impacts to corals resulting from proposed action (number and size of colonies and/or fragments)

The Diversion Canal is not an estuarine or marine water; no corals are present.

D) Project Description and Construction Methods

☐ Yes, the applicant has agreed to follow the Mangroves and Seagrass Dock Construction Guidelines (Found [here](#))

☐ Yes, the applicant has agreed to follow NMFS Johnson's Seagrass Dock Construction Guidelines (Found [here](#))

☐ Yes, the applicant has agreed to follow the NMFS Sea Turtle and Smalltooth Sawfish Construction Conditions (Found [here](#))

1. Project: (Please describe)

Palmetto Railways is proposing to construct an approximately 22.7 mile short-line rail track at a new connection to an existing CSXT rail line spur. The purpose of the project is intended to bring rail service to the Camp Hall Commerce Park (an industrial park currently under development in Ridgeville near Interstate 26) to support the area's infrastructure needs and to alleviate highway congestion involving large commercial trucks in the area. The project would cross three waterbodies (as listed in B.3 above), including the Diversion Canal. Federally listed sturgeon are known to use the Lake Moultrie and Lake Marion system, including the Diversion Canal.

2. In Water Structures:

i. Type of structure(s) (e.g. boat basin, riprap, seawall)

ii. Square and/or linear feet of structure(s)

iii. Number of new vessels/slips, if any

iv. Is this structure new, removal, or replacement?

The proposed rail line would cross the Diversion Canal on a new six span bridge supported by seven new bents (i.e., support structures).

In-water structures include four bents that include components constructed below the canal's ordinary high water mark. Each of the four bents consist of two 8 foot 6 inch diameter drilled shaft foundations (i.e., cast-in-place concrete columns) that would be constructed in-water and into the canal substrate. A total of 8 drill shaft foundations would be placed below the ordinary high water mark for a total of 453.6 square feet of in-water structures. No other structures would be constructed below the canal's ordinary high water mark.

3. Overwater Structures:

- i. Will the structure have grated decking?
- ii. Proposed spacing between boards (0.5-inch, 0.75-inch, none, etc.)
- iii. Height above mean high water (MHW) elevation
- iv. Directional orientation of main axis of dock
- v. Overwater area (calculate square footage)
- vi. Is this structure new, removal or replacement?

The proposed bridge is a new structure. The height of the central span (i.e. span over the middle of the canal) will be at least 50 feet above the canal's maximum water elevation of 75.77 feet. The four other overwater spans will have a height between 40 feet and 45 feet above the canal's maximum water elevation (note that one span is not over the canal). The approximate overwater area of the bridge is 11,730 square feet. The directional orientation of the bridge is north northeast to south southwest.

The approach span from one side to the other consists of a 3 foot walkway, a 16 foot reinforced concrete ballast trough, and an additional 3 foot walkway. Walkways are made from steel and have open grating. The main span will be a steel through girder, with a reinforced concrete ballast trough. Reinforced concrete ballast troughs have drain pipes at 48 foot center to center spacing on each gutterline. See attached preliminary bridge plan and elevation drawings.

4. If the proposed structure is a fishing pier please answer the following:

- i. Is the fishing pier public or private?
- ii. How many people are expected to fish from the pier each day?
- iii. What is the applicant's plan to address hook-and-line captures at the fishing pier?
- iv. Will there be any educational signs posted?

N/A

5. Methods: (For pile installation, please see Pile Installation section below)

- i. Step-by-step construction methodology
- ii. Demolition/ removal of existing structures and debris
- iii. Location of work (barge, upland or both)

The project will use a design/build contracting process. Therefore, the exact construction methodology and sequence will be determined by the Contractor and the Engineer of Record. However, Palmetto Railways anticipates that a barge would be utilized for the drilled shaft foundation work in the Diversion Canal. The barge would be moved to directly adjacent to the location of each foundation for work on that foundation.

6. Pile Installation (Use additional rows for each combination of pile size and material)

Pile Material	Installation Method	Number of Piles	Pile Size (inches)	Max. number of piles to be driven per day	Average number of strikes per pile
Concrete	Augering	8	102	see information on all pile and pile installation details below under pile installation details/ notes.	

Will piles be driven in a confined space (150' to nearest sound reflecting object)?

- Yes ☒
- No ☐

Will noise abatement be used?

Yes ☒

No ☐

Noise abatement details:

Palmetto Railways is proposing drilled shaft foundations (i.e., cast-in-place concrete columns) and does not anticipate the use of impact hammer or vibratory pile drivers to install support piles. However, the use of these methods cannot entirely be ruled out and it is possible that during construction these methods could be needed; this determination would be based on the site-specific conditions at the time of the work. If these methods are needed, bubble curtains, pile cushions (cushion blocks), and a soft start (or slow start) method would be the most reasonable methods available if impact hammers are required. Bubble curtains guard fish from hammering sound waves by pumping air into aluminum rings around the piles during construction. Pile cushions (or cushion blocks) reduce the rise time in pile stress by delaying the onset of force into the pile, which results in reduced fluid particle velocities and noise. With a soft start method, pile-driving ramps up slowly in an effort to deter aquatic species from the work area; it is intended to be a warning mechanism for fauna so they can vacate the area before maximum energy is reached. Other pile driving noise attenuation methods that could be employed include using vibratory pile drivers to the maximum extent practicable and limiting pile driving activities to no more than 12 hours per day during times when sturgeon may be present.

Pile Installation details/notes:

Palmetto Railways is proposing drilled shaft foundations instead of piles. Drilled shaft foundations are essentially columns built in the ground. A steel casing would be driven into soft overburden soils to prevent collapse of the hole and would extend above the waterline. Once set, the soil inside the casing is removed with a hollow flight auger to the design depth. Once the hole is complete, a reinforcing steel cage is lowered into the hole and the hole is filled with concrete to produce a reinforced concrete element. Drilled shafts differ from piles, in part, in that drilled shafts are cast-in-place and piles are driven. Drilled shaft foundations are considered a mitigation measure compared to piles because fewer drilled shafts are required per foundation compared to the number of piles driven. Typically, a single shaft is used per column compared to multiple (estimated at more than 9 piles per column) for a pile footing. As mentioned above, the use of impact hammer and vibratory pile drivers to install piles would be unlikely but cannot be ruled out, and would be based on site-specific conditions at the time of the work. Should these methods be needed, noise attenuation measures would be implemented. If piles are needed, the composition of piles would be the choice of the design/build team but would likely consist of prestressed concrete or structural steel. The number of piles that would be driven per day would be determined based on the construction contractor's chosen means and methods, and the estimate average number of pile strikes per pile would be determined in the final design of the design/build process.

7. Dredging

Dredge Type: (Hopper, clamshell, etc.)

No dredging is proposed.

Area (sq. ft.) to be dredged:

N/A

Depth of cut:

N/A

Volume of material to be dredged: (cubic yards)

N/A

Sediment testing: (Has the material to be dredged been tested? Is there any contamination?)

N/A

Spoil disposal plans: (location of disposal area, sediment type at disposal area, etc.)

N/A

8. Artificial Reefs

Please refer to the artificial reef program websites for the particular state in which the project will occur:

[Alabama](#); [Florida](#); [additional Florida guidance](#); [Mississippi](#); [Louisiana](#); [South Carolina](#); [North Carolina](#); [Texas](#)

i. Reef site selection (process details)

ii. Materials to be used

iii. Deployment Method

iv. Deployment schedule

N/A

9. Construction Schedule

- i. Number of days/weeks/months of in-water work
- ii. Daylight construction only?
- iii. Seasonal restrictions?

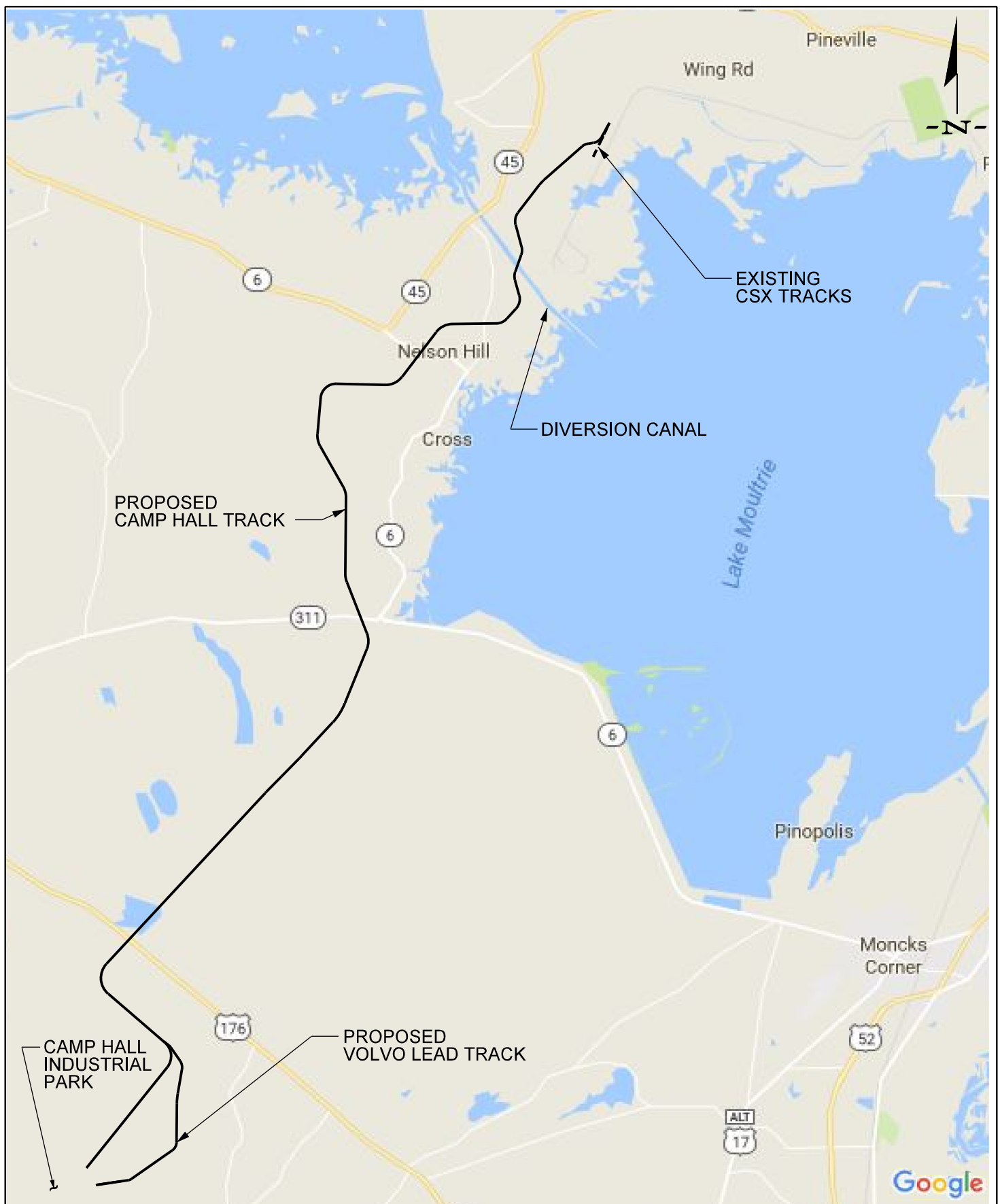
A construction schedule is dependent on the Contractor's means and methods and the requirements of the Request for Proposal (RFP). According, Palmetto Railways cannot, at this time, confirm a detailed construction schedule.

10. Conservation/ Protective Measures

How is conservation, or other protective measures, being incorporated into this project, if at all?

Other protective/conservation measures include:

1. Containing stormwater runoff from bridge within a closed drainage system to minimize impacts to water quality in the Diversion Canal.
2. Develop a Stormwater Pollution Prevention Plan (SWPPP) and abide by the terms and conditions of the National Pollutant Discharge Elimination System (NPDES) permit for the protection of water quality during construction.
3. Ensure construction equipment does not obstruct or impede passage through more than 50 percent of the Diversion Canal.
4. Use pile driving mitigation measures, including soft starts, bubble curtains, and pile cushions, to reduce sound transmitted during pile driving.

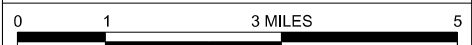


APPLICANT: PALMETTO RAILWAYS

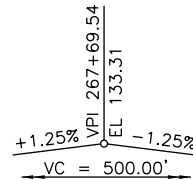
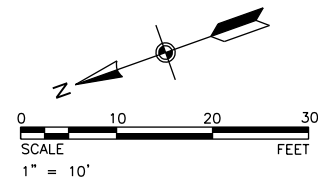
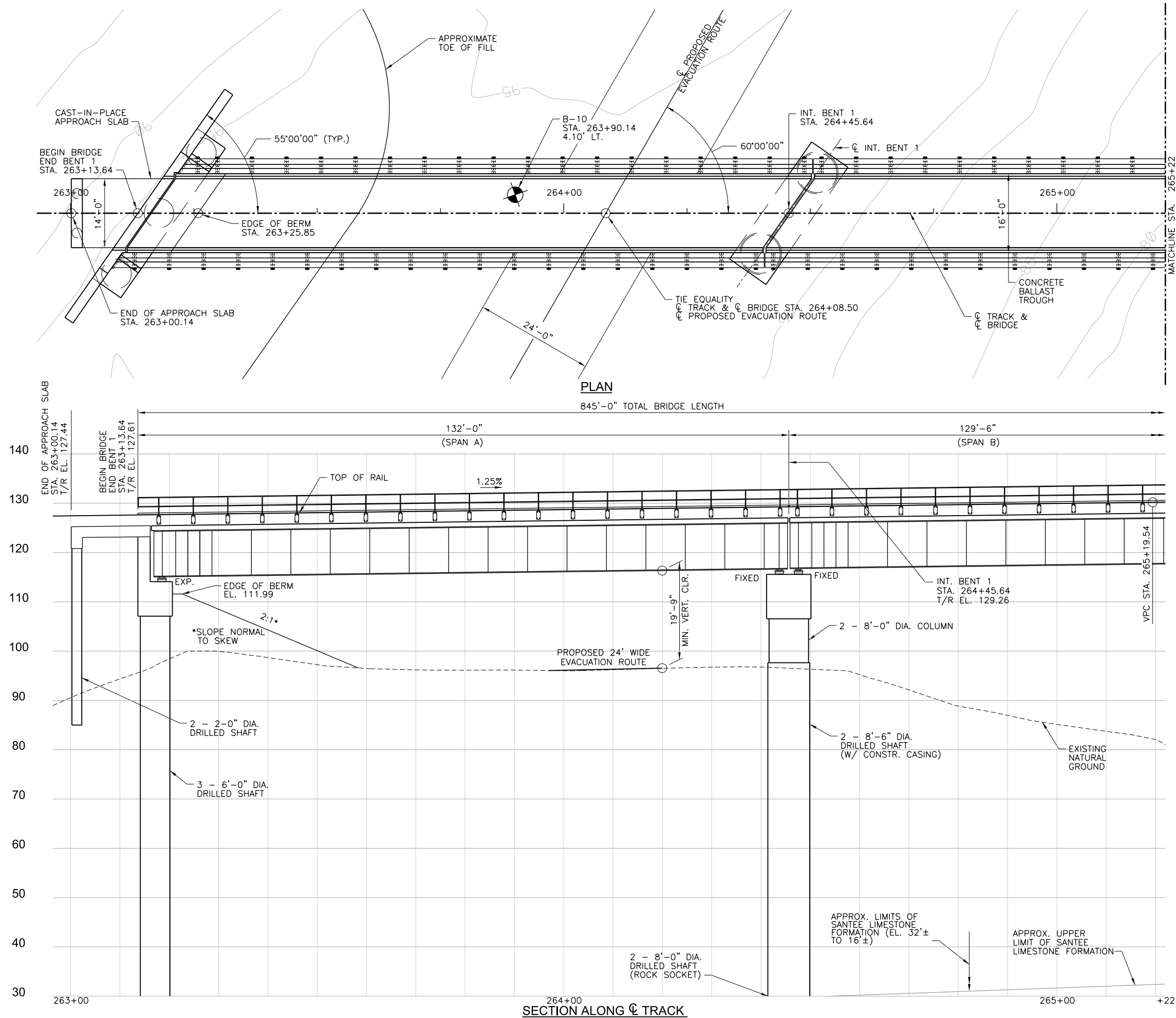


LOCATION MAP

PALMETTO RAILWAYS
CAMP HALL RAIL PROJECT
 BERKELEY COUNTY, SOUTH CAROLINA
 APPLICATION FOR DEPARTMENT OF ARMY 404 PERMIT
 APPLICATION # SAC-2016-01395
 DATE: MARCH 2018



TRANSYSTEMS
3/1/2018 10:22:48 AM p:\c\l\p\p\h\01_s-a\transyscorp\transyscorp-pw1\Documents\Projects\CR306 - Charleston\B306150019 - Camp Hall Rail Build-in-Nepa and Preliminary Engineering\304.00 - Bridge\304.01 - Standard Sheets\S-BP-01 Plan and Elevation (1 of 4)

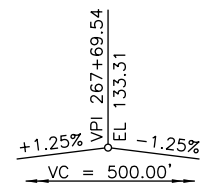
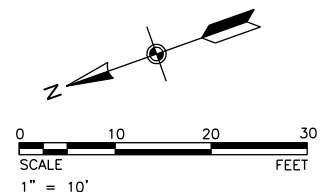


REVISIONS:		DATE	DESCRIPTION

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DATE:	3/1/2018
DESIGNED BY:	RAH
DRAWN BY:	AJD
CHECKED BY:	MWR

SHEET TITLE:
BRIDGE PLAN AND ELEVATION (1 OF 4)

SHEET NO.	S-BP-01
SHEET	7 OF 40



845'-0" TOTAL BRIDGE LENGTH



IF THIS DRAWING IS LESS THAN 22" X 34" IT IS A REDUCED SIZE DRAWING

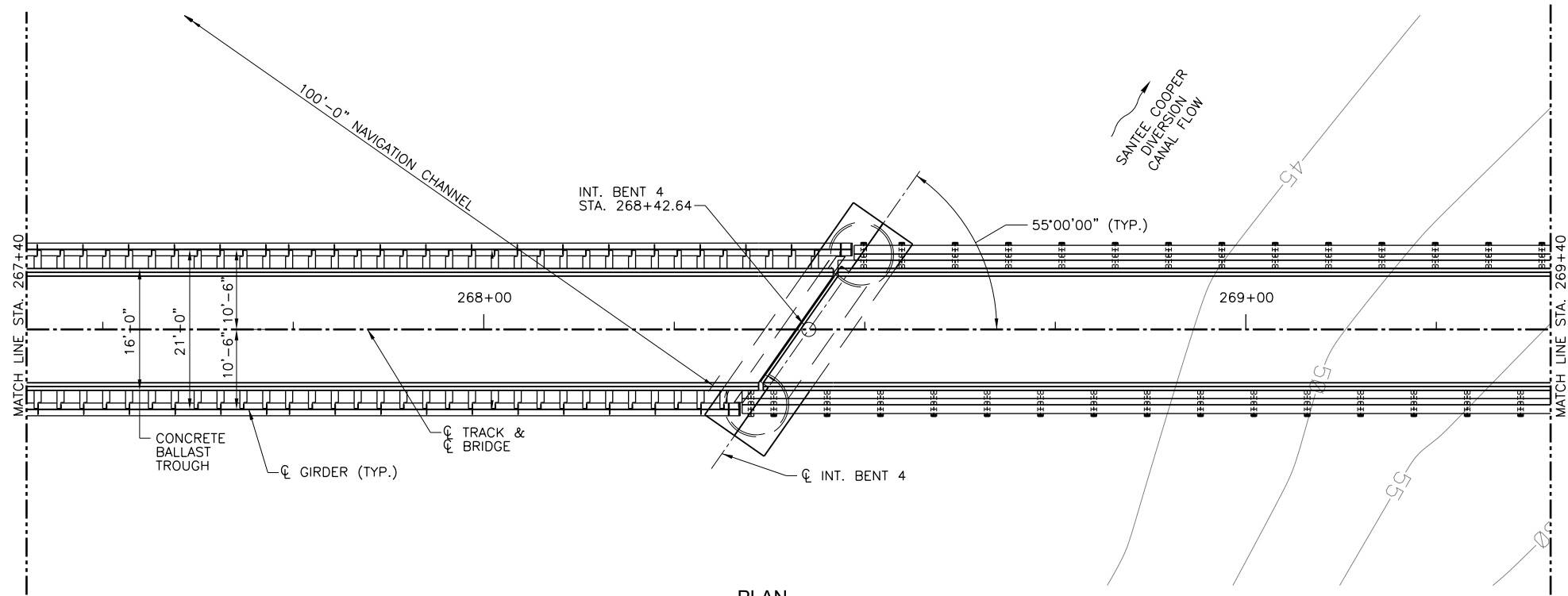
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DRAWN BY:	MJR
CHECKED BY:	MWR

SHEET TITLE:

BRIDGE PLAN
AND ELEVATION
(2 OF 4)

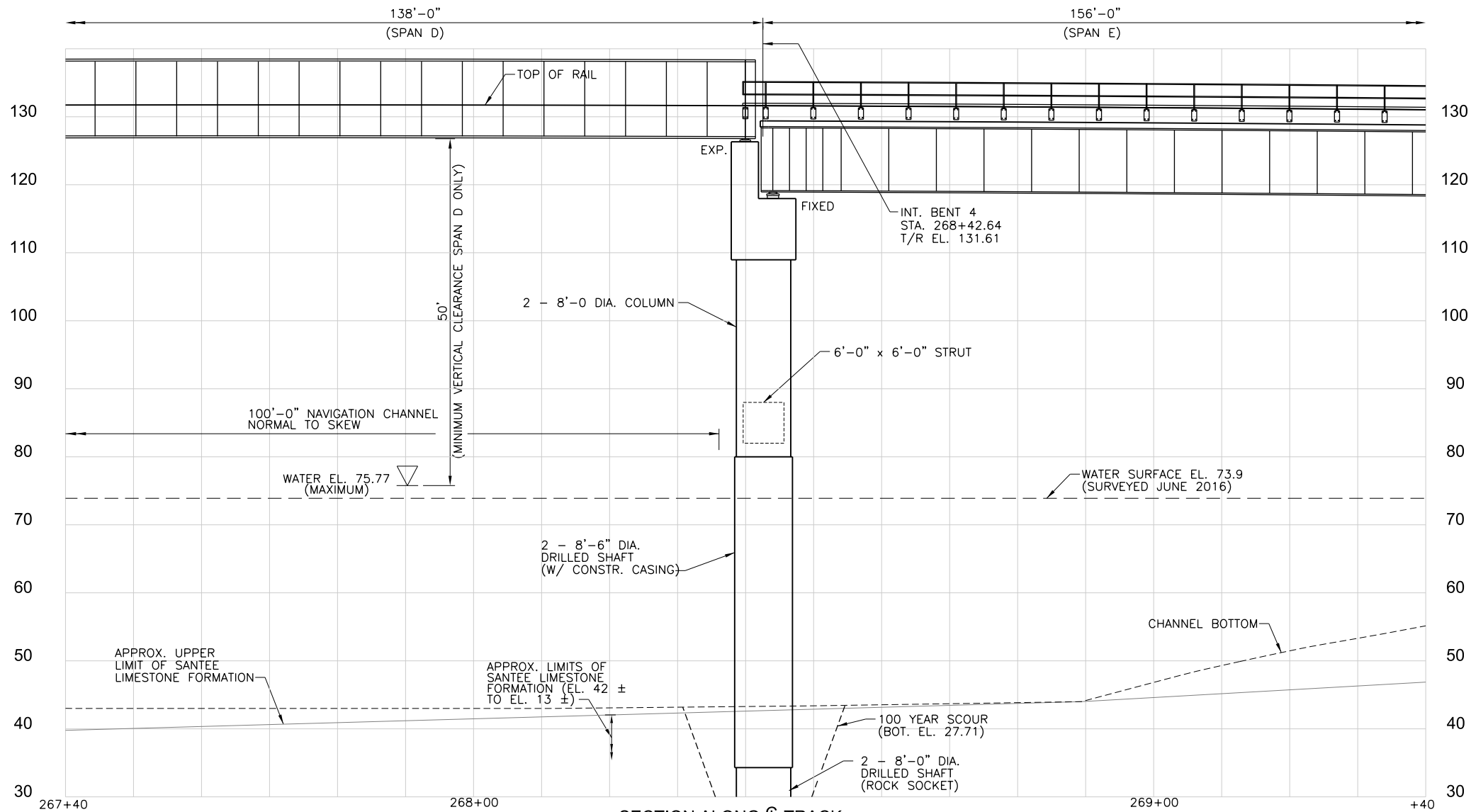
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SHEET 8 OF 40

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3/1/2018 10:23:16 AM p:\c\lhp\p\0118-a\transyscorp\condtransyscorp-pw1\Documents\Projects\CR306 - Charleston\B306150019 - Camp Hall Rail Build-in-Nepa and Preliminary Engineering\304.00 - Bridge\304.01 - Standard Sheets\S-BP-03 Plan and Elevation (3 of 4)

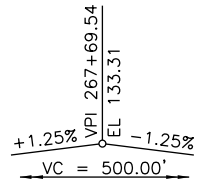
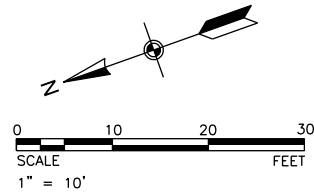


PLAN

845'-0" TOTAL BRIDGE LENGTH



SECTION ALONG ϕ TRACK



TranSystems

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NORTH CHARLESTON, SC 29405
PHONE: (843) 266-9300
FAX: (843) 529-9616

DOCUMENT IS FOR INTERIM REVIEW AND NOT
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3/1/2018

Santee Cooper - Camp Hall
Berkeley County, South Carolina



REVISIONS:

MARK	DATE	DESCRIPTION

PROJ NO: P306150019
SCALE: 1"=10'
DATE: 3/1/2018
DESIGNED BY: RAH
DRAWN BY: AJD
CHECKED BY: MWR

SHEET TITLE:

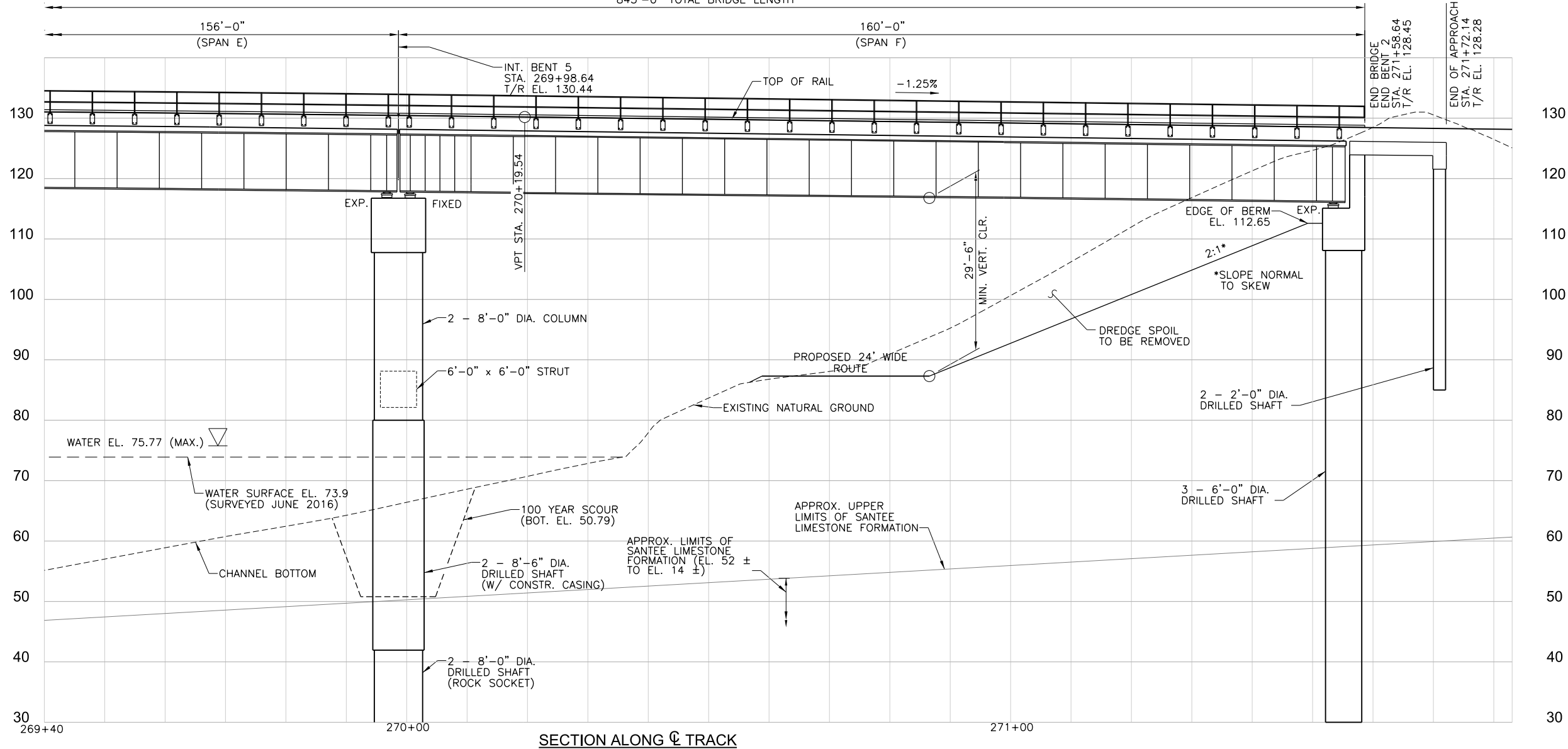
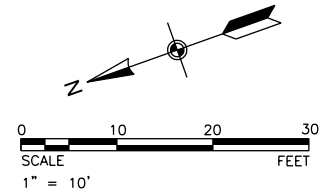
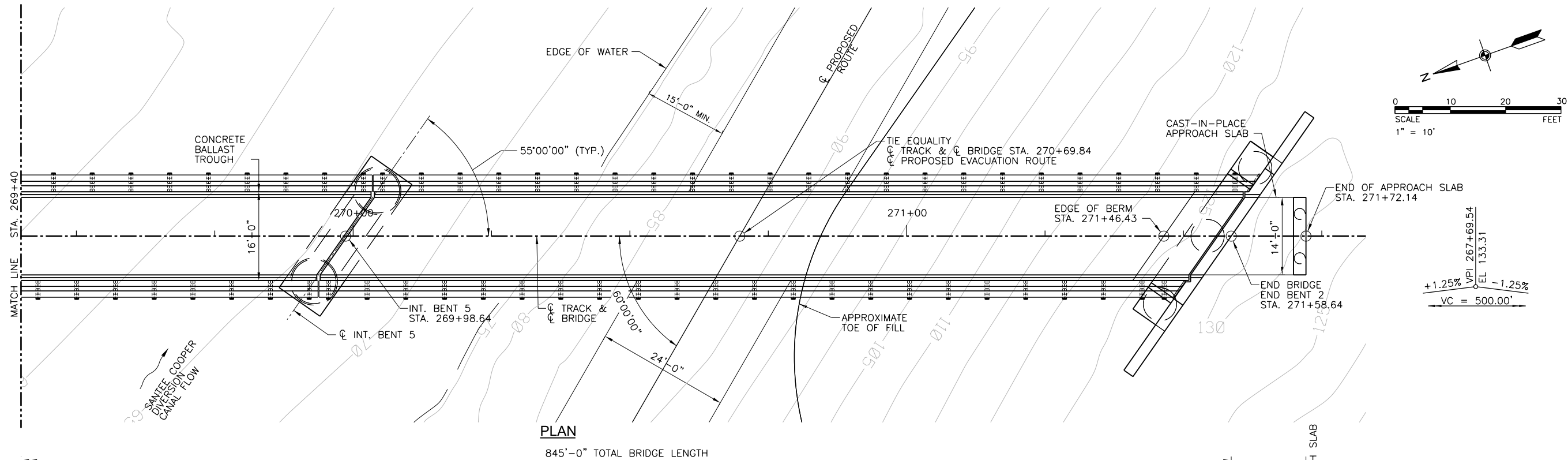
BRIDGE PLAN
AND ELEVATION
(3 OF 4)

SHEET NO.
S-BP-03

SHEET 9 OF 40

IF THIS DRAWING IS LESS THAN 22" X 34" IT IS A REDUCED SIZE DRAWING

TRANSSYSTEMS
3/1/2018 10:23:22 AM p:\c\lhp\p\h01\1-a-c\transyscorp\p\1\Documents\Projects\CR306 - Charleston\B306150019 - Camp Hall Rail Build-in-Nepa and Preliminary Engineering\304.00 - Bridge\304.01 - Standard Sheets\S-BP-04 Plan and Elevation (4 of 4)



4400 LEEDS AVENUE
SUITE 430
NORTH CHARLESTON, SC 29405
PHONE: (843) 266-9300
FAX: (843) 529-9616

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3/1/2018

Santee Cooper - Camp Hall
Berkeley County, South Carolina



REVISIONS:		DATE	DESCRIPTION

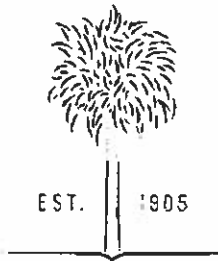
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SCALE:	1"=10'
DATE:	3/1/2018
DESIGNED BY:	RAH
DRAWN BY:	MJR
CHECKED BY:	MWR

SHEET TITLE:
BRIDGE PLAN AND ELEVATION (4 OF 4)

SHEET NO.	S-BP-04
SHEET	10 OF 40

IF THIS DRAWING IS LESS THAN 22" X 34" IT IS A REDUCED SIZE DRAWING

HEI-25366
RECEIVED AUG 30 2017



August 28, 2017

SOUTH CAROLINA DEPARTMENT OF
ARCHIVES & HISTORY

T. Ravenel
Director of Special Projects
Palmetto Railways
540 East Bay Street
Charleston, SC 29403

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

Dear Mr. Ravenel:

Thank you for your letter of July 28, 2017, which we received on July 28, 2017, regarding the Camp Hall Rail Project. We also received the draft report, *Phase I Cultural Resource Survey Camp Hall Rail Project Berkeley County, South Carolina*, as supporting documentation for this undertaking. The State Historic Preservation Office (SHPO) is providing comments to U.S. Army Corps of Engineers and the Surface Transportation Board 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.

An archaeological and historic architecture survey investigated the proposed rail corridor, which was delineated as 200 feet wide and spanning approximately 23 miles. As a result of the archaeological survey, no previously or newly recorded archaeological sites or isolated finds were recorded within the proposed railway corridor. No further archaeological investigation was recommended for this railway alignment as it is currently proposed. Our office concurs with this recommendation.

As a result of the historic architecture survey, eight previously recorded above ground resources were revisited and 53 previously unrecorded structures were documented. Of the previously recorded architectural resources, the current survey:

- Recommends resource 0786, the Lakes Marion and Moultrie Diversion Canal, which was determined eligible as contributing to a National Register of Historic Places (NRHP) district in 2002, remains eligible. Our office concurs with this recommendation.
- Recommends that the seven other resources (115-006, Peagler House; 0808, ca. 1930 house; 115-0011, Winningham Cemetery; 497-002, Blackmon-Shuler Cemetery; 155-0004, J.L. Williams House; 0806, ca. 1925 house; and 0807, R. L. Singletary Grocery) remain ineligible for the NRHP. Our office concurs with these recommendations, with the exception of Resource 0807, R.L. Singletary Grocery. This resource should be evaluated within the context of South Carolina's Country Stores, 1850-1950, available at <http://shpo.sc.gov/research/Pages/conreps.aspx>. The revised report should contain this evaluation.

Of the 53 newly recorded architectural resources, two were recommended eligible for the NRHP (1263, Garrett Cemetery; and 1270, Bulltown Ditch) and the remaining resources were recommended ineligible. Our office concurs with these recommendations.

In addition to making eligibility recommendations for the NRHP, the report also discusses potential effects of the undertaking to the three NRHP eligible properties (0786, the Lakes Marion and Moultrie Diversion Canal; 1263, Garrett Cemetery; and 1270, Bulltown Ditch. The report states two of the eligible properties (0786, 1270) could be adversely effected by the proposed undertaking. Additional consultation with the federal agencies to apply the criteria of adverse effects (36 CFR 800.5) to the proposed project is needed. If adverse effects are present and cannot be avoided, they will need to be minimized and/or mitigated through the development of a Memorandum of Agreement (36 CFR 800.6).

The report also recommends that the one eligible cemetery (1263, Garrett Cemetery) and one ineligible cemetery (497-0002, Blackmon-Shuler Cemetery) be protected from disturbance and desecration in adherence to SC state law by establishing a 50 foot buffer around the cemetery perimeters. We concur with this recommendation.

Our office has additional technical comments on the report (see enclosed.) Please provide one copy of a revised final report addressing these comments for our review. Also, in the revised final report please include the "Architectural Statewide Survey of Historic Resources Cards" in Appendix B for our review, prior to final submission of hard copies in accordance with the standards of our Survey Manual.

Thank you for your patience as we reviewed this report, and for the opportunity to provide comments. We look forward to additional consultation on this project. If you have any questions, please contact me at (803) 896-6168, ejohnson@scdah.sc.gov.

Sincerely,



Elizabeth M. Johnson
Director, Historical Services
State Historic Preservation Office

Cc: M. Zulauf, Corps
R. Sipe, AMEC Foster Wheeler

Technical Comments

Phase I Cultural Resource Survey Camp Hall Rail Project Berkeley County, South Carolina, July 2017

- No page numbers are included in the digital or paper copy of the report, please include in revised final report.
- Table I and 4.2-For architectural resources recorded as "Gone" please update this terminology to read "Not Extant".
- 1.0-TYPO "corridr"
- 3.1-The Paleoindian period in the southeast is more widely accepted as beginning in 12,000 B.C. For reference, shpo.sc.gov/res/native/Pages/naperiods.aspx.
- 3.4-TYPO "Caorlina"
- 4.1.3 - Were shovel tests circular with a diameter of 30 cm? If so, this would not adhere to the Standard and Guidelines minimum requirement of 30 x 30 cm shovel tests and would have only covered ¾ of the total area of a 30 x 30 cm square shovel test.
- 4.2.3 In the Assessing NRHP Eligibility section, be more specific about how the resources not recorded exhibited poor integrity.
- Throughout the report, 54 newly recorded architectural resources are referenced but only 53 are included in results and the *Historic Architectural Resources within the APE* Table. Please include the missing resource or clarify this discrepancy in the total count.
- Please evaluate resource 0807, R.L. Singletary Grocery within the context of South Carolina's Country Stores, 1850-1950, available at <http://shpo.sc.gov/research/Pages/conreps.aspx>.
- Please include the architectural survey cards in Appendix B, and ensure the architectural survey forms state "revisit" for the applicable properties.

#EO-2948

Wood, Diana

From: Wood, Diana
Sent: Thursday, September 28, 2017 12:15 PM
To: 'ejohnson@scdah.sc.gov'
Cc: 'Stevens, Courtney M CIV USARMY CESAC (US)'
Subject: Camp Hall Rail Project, Cultural Resources Survey - SHPO Project No. 16EJ0087, SAC-2016-01395
Attachments: EI-25366 SC SHPO.pdf

Dear Ms. Johnson:

The Surface Transportation Board's (STB) Office of Environmental Analysis (OEA) recently sent you an agency preliminary consultation letter, dated September 8, 2017, regarding the above referenced proposed rail line project entitled "STB Finance Docket No. 36095, Palmetto Railways—Construction and Operation Exemption—In Berkeley County, South Carolina." As the letter states, STB and the Corps of Engineers (Corps) are acting as joint-lead agencies in the NEPA review, and are seeking early agency input into the process. After sending the agency consultation letter, however, T Ravenel of Palmetto Railways sent the attached letter from your office, dated August 28, 2017, regarding the cultural resources survey. As we received your letter after the preliminary consultation letter was sent out, this email acknowledges your comments and concerns, and informs you that they will be considered as we move forward.

Specifically, you note that Palmetto Railway's proposed rail crossing of the Lakes Marion and Moultrie Diversion Canal and the Bulltown Ditch could have adverse effects on these National Register-eligible properties and District. To that end, we understand the importance of early project planning to avoid where possible, and/or minimize/mitigate potential harms the project could have on these resources. We are currently in the process of assessing Palmetto's various alternatives from the Tier studies discussed in the environmental report prepared by HDR (referenced in the September 8th letter and available to viewing on the project web site at www.camphallnepa.com) and have just sent Palmetto an information request to clarify certain aspects of the report's findings and conclusions. Palmetto's response to the information request, as well other responses from agencies and a site visit to the project area, possibly in the end of October, will help determine what alternatives, both proposed by Palmetto and possibly new ones created by STB and the Corps, will move forward in the NEPA and Section 106 process.

We look forward to working with you on this project.

Sincerely,

Diana Wood

Diana F Wood
Office of Environmental Analysis
US Surface Transportation Board
395 E Street SW, Room 1110
Washington DC 20423
202-245-0302
Diana.Wood@stb.gov

From: Wood, Diana

Sent: Friday, May 11, 2018 8:47 AM

To: 'carlisa.linton-peters@ferc.gov' <carlisa.linton-peters@ferc.gov>

Subject: Question Regarding FD 36095 Palmetto Railways Project in Berkeley County SC

Dear Ms. Linton-Peters,

I'm following up on a preliminary consultation letter the Surface Transportation Board's (Board) Office of Environmental Analysis (OEA) sent to you in October 2017 regarding the proposed construction and operation of an approximately 23-mile rail line in Berkeley County, SC. The letter mentioned a range of alternatives the applicant, Palmetto Railways, had assessed prior to submitting its petition to the Board, including one (the Cross Route and applicant's Proposed Route) that would cross the Santee Cooper Diversion Canal via a new bridge and connect to a CSXT main line on the Santee Cooper property adjacent to its Cross Generating Station (see the attached letter and Figure A map). OEA has since conducted additional screening of the applicant's other alternatives and determined that the Proposed Cross Route, as well as the no build alternative, will be carried forward for analysis in the Environmental Assessment.

As background, on March 15, 2004, the South Carolina Public Service Authority (SCPSA), filed an application for a new license to continue operating its existing Santee Cooper Hydroelectric Project (FERC Project No. 199), located on the Santee and Cooper Rivers in Berkeley, Calhoun, Clarendon, Orangeburg, and Sumter counties, SC. The parties executed a Programmatic Agreement (PA) on April 3, 2004 (attached) because it was anticipated that issuing a new license to continue operating and maintaining the existing project may pose adverse effects to historic properties (the Santee dam on the Santee River, the Pinopolis dam on the Cooper River, **the Diversion canal**, the Santee Spillway Hydroelectric Station, and the Jefferies Hydroelectric Station).

Among other things, the PA requires that within one year of issuing a license for the project, the Licensee (Santee Cooper) would file a **Historic Properties Management Plan** with FERC specifying how historic properties will be managed in the project area.

Because construction of the Proposed Cross Route would require a new rail bridge over the Diversion Canal, I'm wondering if FERC, in addition to Santee Cooper, would need to approve this rail line project. The applicant, Palmetto, is working with Santee Cooper and will be providing a point of contact next week, so I will be contacting them as well.

Thank you so much for your time.

If you have any questions, please do not hesitate to contact me at 202-245-0302 or by email. In the meantime, I look forward to hearing from you in the near future.

Sincerely,

Diana Wood
Environmental Project Manager

Diana F Wood
Office of Environmental Analysis
US Surface Transportation Board
395 E Street SW, Room 1110
Washington DC 20423
202-245-0302
Diana.Wood@stb.gov



SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Office of Environmental Analysis

October 10, 2017

Federal Energy Regulatory Commission
Carlisa Linton-Peters
Division of Hydropower Administration & Compliance
888 First Street NE
Rm 72-75
Washington, DC 20426

**RE: STB Finance Docket No. 36095, Palmetto Railways—Construction and
Operation Exemption—In Berkeley County, South Carolina; Preliminary
Consultation**

Dear Ms. Linton-Peters:

On August 3, 2017 the 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 Surface Transportation Board's (Board) Office of Environmental Analysis (OEA) and the United States Army Corps of Engineers (Corps), Charleston District, are beginning the environmental review of the proposed rail line construction project in compliance with the National Environmental Policy Act and related laws and regulations.

The purpose of this letter is to advise you of the proposed rail line project, request information from your agency on the resources under your jurisdiction that could be affected by the proposed project, and identify permits and approvals that could be required of the Applicant.

Project Background

The proposed rail line would be a short-line rail track that begins at a new connection to the A-Line of CSX Transportation (CSXT) (through the CSXT Cross Subdivision connection), and ends within the Camp Hall Commerce Park, an industrial park currently under development in Ridgeville and near Interstate 26. The connection to CSXT would occur on the Santee Cooper property adjacent to its Cross Generating Station, and would cross the Diversion Canal between Lake Marion and Lake Moultrie, running south-southwest. South of the Diversion Canal, the right-of-way traverses the unincorporated rural community of Cross. Beyond the Cross

community, the proposed line passes through a mix of commercial, residential and silvicultural properties before reaching the Camp Hall Commerce Park.

The area is primarily covered by forests, forested wetlands, and open water. The proposed rail line crosses US Highway 176, SC Highway 311, and Old Highway 6, 15 secondary roads and 21 minor forestry/agricultural roads. The entire line would be located within Berkeley County. See Figure A, which shows Palmetto Railways' proposed route in the "Cross Corridor" that Palmetto Railways developed as part of its Alternative Analysis and Figure B, which depicts the additional alternatives studied by Palmetto Railways.

The proposed project is intended to bring rail service to the industrial park, to support the area's infrastructure needs and to alleviate highway congestion involving large commercial trucks in the area.

Environmental Review Process

OEA and the Corps will work as joint-lead agencies to evaluate the potential environmental effects of the proposed project, including any reasonable and feasible alternatives to the proposed route 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 C.F.R. § 1105, the Corps' permitting authority under Section 404(b)(1) of the Clean Water Act (40 CFR Part 230), and other applicable federal, and state laws.

This letter begins the process by which OEA and the Corps will assess the potential environmental effects, both positive and negative, that may be associated with the proposed rail line construction and operation. We appreciate your assistance in identifying whether any resources of concern to your agency may be affected by the proposed project and welcome information on any additional issues or concerns that you consider appropriate.

To assist in your review of the proposed project, please review the additional information filed by the Applicant in support of its proposal. This information may be found on the Board and Corps' Project website at www.CampHallRailNEPA.com.

Request for Comments

We would like to hear from you regarding whether any resources under your jurisdiction could be affected by the proposed project, and whether this proposal would require permitting or approval requirements from your agency. We request your response by **November 10, 2017**, so that we may be able to schedule any meetings, site visits, or surveys; conduct necessary follow-up activities; and incorporate your response into the scope of study, as appropriate.

October 10,
2017 Page 3

Please send your written comments to Diana Wood, OEA's Project Manager for the environmental analysis, by email at Diana.Wood@stb.gov, or by mail to:

Ms. Diana Wood
Surface Transportation Board
Docket No. FD 36095
c/o ICF
9300 Lee Highway
Fairfax, VA 22031

You may also submit comments electronically through the Board's Web site at www.stb.gov by clicking on the "E-Filing" quick link on the right-hand side of the home page and then selecting "Environmental Comments." Brief comments may be typed within the comment field provided, or alternatively, you may attach comments as Microsoft Word or Adobe Acrobat files.

We look forward to your participation in the environmental review process. If you have any questions or would like to arrange a call, please feel free to contact Diana Wood by phone at 202-245-0302 or by email at Diana.Wood@stb.gov or the Corps' project manager, Courtney Stevens by phone at 843-329-8027 or by email at Courtney.M.Stevens@usace.army.mil.

Sincerely,

A handwritten signature in black ink, appearing to read "Victoria Rutson".

Victoria Rutson
Director
Office of Environmental Analysis

Enclosures:

Figure A-Proposed Route Map

Figure B-Palmetto Railways Alternatives Analysis Map

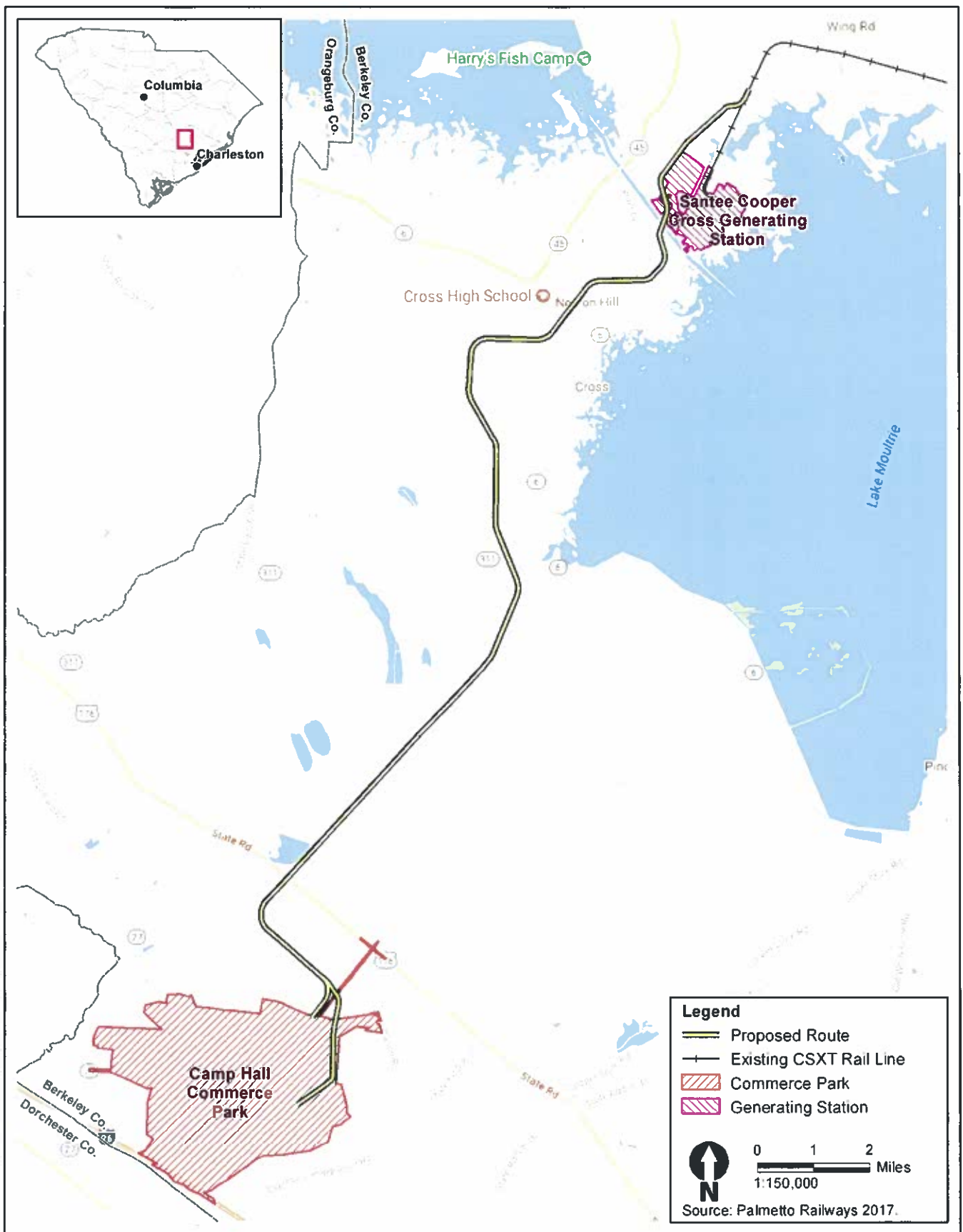


Figure A
Palmetto Railways Proposed Route

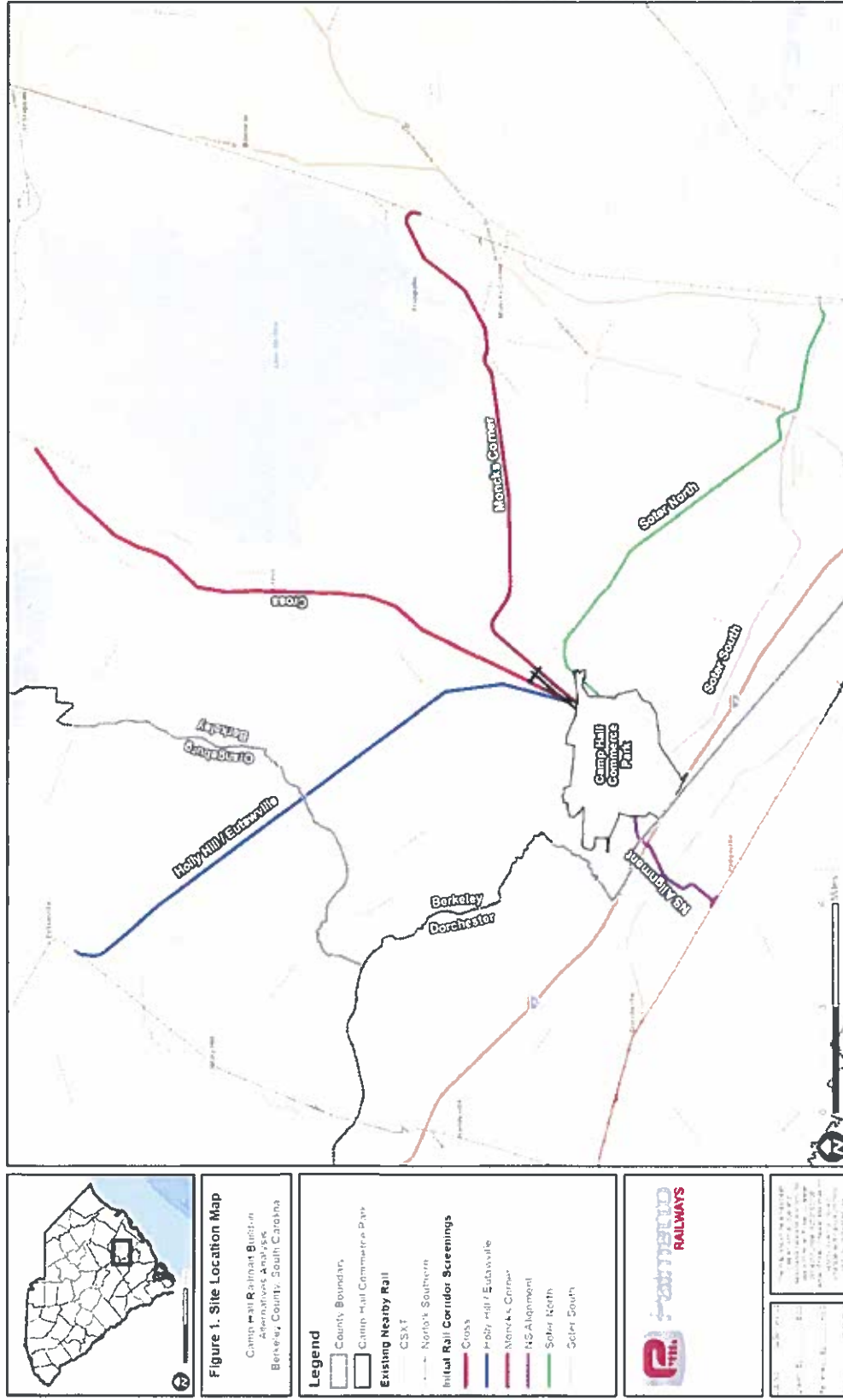


Figure B
Palmetto Railways Alternatives Analysis Map



Preserving America's Heritage

February 20, 2009

Mark Pawlowski, Chief
Hydro East Branch 2
Federal Energy Regulatory Commission
Washington, DC 20426

REF: *Proposed Santee Cooper Hydroelectric Project*
FERC Project Number: 199-205
Berkeley, Calhoun, Clarendon, Orangeburg and Sumter Counties, South Carolina

Dear Mr. Pawlowski:

On February 5, 2009, the Advisory Council on Historic Preservation (ACHP) received the Programmatic Agreement (PA) for the above referenced project. In accordance with Section 800.6(b)(1)(iv) of the ACHP's regulations, the ACHP acknowledges receipt of the PA. The filing of the PA, and execution of its terms, completes the requirements of Section 106 of the National Historic Preservation Act and the ACHP's regulations.

We appreciate your providing us with a copy of this PA and will retain it for inclusion in our records regarding this project. Should you have any questions or require additional assistance, please contact me at (202) 606-8509 or by e-mail at ljohnson@achp.gov.

Sincerely,

LaShavio Johnson
Historic Preservation Technician
Federal Permitting, Licensing and Assistance Section
Office of Federal Agency Programs

ADVISORY COUNCIL ON HISTORIC PRESERVATION

1100 Pennsylvania Avenue NW, Suite 803 • Washington, DC 20004
Phone: 202-606-8503 • Fax: 202-606-8647 • achp@achp.gov • www.achp.gov

received 02/23/09 by e-mail

RECEIVED

FEDERAL ENERGY REGULATORY COMMISSION
WASHINGTON, D.C. 20426
January 30, 2009

FEB 09 2009

SC Department of
Archives & History

OFFICE OF ENERGY PROJECTS

Project No. 199-205 - South Carolina
Santee Cooper Hydroelectric Project
South Carolina Public Service Authority

Reid Nelson
Advisory Council on Historic
Preservation
Old Post Office Building
1100 Pennsylvania Avenue, NW, Suite
809
Washington, DC 20004

Dr. Rodger E. Stroup, SHPO
Department of Archives & History
8301 Parklane Road
Columbia, SC 29223-4905

John C. Dulude, P.E.
Manager, FERC Relicensing
South Carolina Public Service Authority
One Riverwood Drive
P.O. Box 2946101
Moncks Corner, SC 29461-6101

Dr. James T. Kardatzke
Bureau of Indian Affairs
Eastern Regional Office
545 Marriott Drive, Suite 700
Nashville, TN 37214

Russell Townsend
Tribal Historic Preservation Officer
Eastern Band of Cherokee Indians
Cultural Resources Department
Qualla Boundary P.O. Box 455
Cherokee, NC 28719

Dr. Wenonah G. Haire
Catawba Indian Nation
Tribal Historic Preservation Officer
1536 Tom Steven Rd
Rock Hill, SC 29730

Charles D. Enyart, Chief
Eastern Shawnee Tribe of Oklahoma
P.O. Box 350
Seneca, MO 64804

Tribal Historic Preservation Officer
Seminole Nation of Oklahoma
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Wewoka, OK 74884

Richard H. Kimmel, Archaeologist
Environmental Resources Section
US Army Corps of Engineers
PO Box 1890
Wilmington, NC 28402

Amanda Hill
U.S. Fish & Wildlife Service
Charleston Field Office
176 Croghan Spur Road, Suite 200
Charleston, SC 29407

Robert Morgan,
Francis Marion & Sumter National
Forests
2421 Witherbee Road
Cordesville, SC 29434

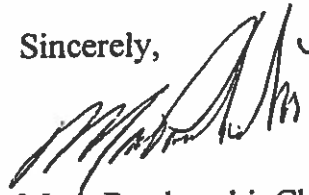
Project No. 199-205 - South Carolina

**Subject: Transmittal of the Executed Programmatic Agreement for the Santee
Cooper Hydroelectric Project, FERC Project No. 199-205**

TO THE PARTIES ADDRESSED:

Enclosed is the Programmatic Agreement for the Santee Cooper Hydroelectric Project, Project No. 199, executed as of April 3, 2008, the date it was signed by the South Carolina Deputy SHPO. If you have questions, please contact Janet Hutzal at (202) 502-8675, or by e-mail, janet.hutzal@ferc.gov.

Sincerely,

A handwritten signature in black ink, appearing to read 'Mark Pawlowski', with a stylized flourish at the end.

Mark Pawlowski, Chief
Hydro East Branch 2

Enclosure: Final Programmatic Agreement

cc: Public files

**PROGRAMMATIC AGREEMENT
BETWEEN
THE FEDERAL ENERGY REGULATORY COMMISSION
AND THE
SOUTH CAROLINA STATE HISTORIC PRESERVATION OFFICER
FOR
MANAGING HISTORIC PROPERTIES THAT MAY BE AFFECTED
BY ISSUING A NEW LICENSE TO
SOUTH CAROLINA PUBLIC SERVICE AUTHORITY
FOR THE OPERATION OF THE
SANTEE COOPER HYDROELECTRIC PROJECT
IN BERKELEY, CALHOUN, CLARENDON, ORANGEBURG,
AND SUMTER COUNTIES,
SOUTH CAROLINA
(FERC No. 199-205)**

WHEREAS, the Federal Energy Regulatory Commission or its staff (hereinafter, "Commission") proposes to issue a new license to South Carolina Public Service Authority (hereinafter, "Licensee") to continue operating the existing Santee Cooper Hydroelectric Project (hereinafter, "Project") as authorized by Part I of the Federal Power Act, 16 U.S.C. Sections 791(a) through 825(r) *as amended*; and

WHEREAS, the Commission has determined that issuing such a license may affect properties included in or eligible for inclusion in the National Register of Historic Places (hereinafter, "historic properties"); and

WHEREAS, Appendix A of this Programmatic Agreement provides a description of the Licensee's proposal for operating and maintaining the Project, area of potential effects, historic properties, and anticipated effects identified as of the date of this Programmatic Agreement; and

WHEREAS, the Commission has consulted with the Advisory Council on Historic Preservation (hereinafter, "Council"), and the South Carolina Historic Preservation Officer (hereinafter, "SHPO") pursuant to 36 C.F.R. Section 800.14(b) of the Council's regulations (36 C.F.R. Part 800), implementing Section 106 of the National Historic Preservation Act (16 U.S.C. 470f; hereinafter, "Section 106"); and

WHEREAS, the Licensee, the Catawba Indian Nation Tribal Historic Preservation Officer (hereinafter, "CIN-THPO"), Eastern Band of Cherokee Indians Tribal Historic Preservation Office (hereinafter, "EBCI-THPO"), U.S. Army Corps of Engineers (hereinafter, "Corps"), U.S. Fish and Wildlife Service (hereinafter, "Fish and Wildlife Service"), and Francis Marion National Forest (hereinafter, "National Forest") have participated in the consultation and have been invited to concur in this Programmatic Agreement; and

WHEREAS, the Commission will require the Licensee to implement the provisions of this Programmatic Agreement as a condition of issuing a new license for the Project;

NOW THEREFORE, the Commission and the SHPO agree that the Project will be administered in accordance with the following stipulations in order to satisfy the Commission's Section 106 responsibilities during the term of the Project's license.

STIPULATIONS

The Commission will ensure that, upon issuing a license for this Project, the Licensee implements the following stipulations. All stipulations that apply to the Licensee will similarly apply to any and all of the Licensee's successors. Compliance with any of the following stipulations does not relieve the Licensee of any other obligations it has under the Federal Power Act, the Commission's regulations, or its license.

I. HISTORIC PROPERTIES MANAGEMENT PLAN

- A. Within one year of issuing a license for this Project, the Licensee will file for the Commission's approval a Historic Properties Management Plan (hereinafter, "HPMP") specifying how historic properties will be managed in the Project's area of potential effects, as defined in 36 C.F.R. Section 800.16(d), during the term of this license. During development of the HPMP, the Licensee will consult with the SHPO, CIN-THPO, EBCI-THPO, Corps, Fish and Wildlife Service, and National Forest, as defined in 36 C.F.R. Section 800.2.¹ The Licensee will seek concurrence of the SHPO, CIN-THPO, EBCI-THPO, Corps, Fish and Wildlife Service, and National Forest in the HPMP.

¹ All consulting parties need to respond within 30 days of receipt of a request for review of a finding or determination involving the HPMP and during the interim period prior to completion and implementation of the HPMP.

- B. "Archeology and Historic Preservation: Secretary of the Interior's Standards and Guidelines" (*Federal Register*, September 29, 1983, Vol. 48, No. 190, Part IV, pp. 44716-44740; hereinafter, "Secretary's Standards") and the Council and Commission's "Guidelines for the Development of Historic Properties Management Plans for FERC Hydroelectric Projects"² (issued May 20, 2002) will be taken into account in developing the HPMP. The HPMP will be developed in coordination with the development of the project Recreation Management Plan (RMP) and Shoreline Management Plan (SMP). The HPMP will be developed by or developed under the direct supervision of a person or persons who meet, at a minimum, the professional qualifications standards for architectural history and archeology in the Secretary's Standards (48 *Federal Register* 44738-39).
- C. The HPMP will, at a minimum, address the tasks listed below. The HPMP will also specify how each task will be carried out and when it will be completed.
1. Completion, if necessary, of identification of historic properties, within the Project's APE;
 2. Continued use and maintenance of historic properties;
 3. Maintenance and operation of the Santee Cooper Project as a historic property according to the Secretary of Interior's "Standards for the Treatment of Historic Properties" (36 C.F.R. Part 68), and applicable National Park Service Preservation Briefs;
 4. Treatment of historic properties threatened by looting or vandalism
 5. Treatment of historic properties threatened by shoreline erosion, other project-related ground-disturbing activities due to project operation and maintenance, recreational development, habitat improvement projects, or other project-related development or uses that may cause changes in the character or use of Historic Properties

² This document was issued jointly by the Commission and the Advisory Council on May 20, 2002. The document is available at <http://www.ferc.gov/industries/hydropower/gen-info/guidelines/hpmp.pdf>.

6. Identification and treatment of unanticipated downstream project effects that might occur to Historic Properties at the Francis Marion National Forest in the lower Santee River;
7. Mitigation of unavoidable adverse effects on historic properties;
8. Treatment and disposition of any human remains that may be discovered, taking into account any applicable state laws, the Catawba Indian Nation's Burial Policy, and the Advisory Council's "Policy Statement Regarding Treatment of Human Remains and Grave Goods" (September 27, 1988, Gallup, NM);
9. Discovery of previously unidentified properties during project operations;
10. Public interpretation of the historic and archaeological values of the Project;
11. Identification and proposed treatment, avoidance, or mitigation of effects to traditional cultural properties through the development and implementation of a traditional cultural properties treatment plan after consultation with the CIN-THPO, EBCI-THPO, and SHPO;
12. Description of how implementation of the HPMP will be coordinated with implementation of the project RMP and SMP; and
13. Coordination with the SHPO, CIN-THPO, EBCI-THPO, Corps, Fish and Wildlife Service, National Forest, and owners of properties that are eligible for listing in the National Register of Historic Places during implementation of the HPMP.

II. HPMP REVIEW AND IMPLEMENTATION

- A. The Licensee will submit the HPMP, along with documentation of the views of the SHPO, CIN-THPO, EBCI-THPO, Corps, National Forest, and Fish and Wildlife Service to the Commission for review and approval.
- B. If the SHPO, CIN-THPO, EBCI-THPO, Corps, National Forest, and Fish and Wildlife Service have not concurred in the HPMP, or the Commission finds the

HPMP inadequate, the Commission will consult with the objecting party and seek agreement on the HPMP. If concurrence is not reached within 45 days, the Commission will request that the Council enter into the consultation to seek agreement on the HPMP.

1. If agreement is reached on the HPMP, the Commission will forward a copy of the revised HPMP to the Council for review pursuant to Stipulation II.B of this Programmatic Agreement. If the Council does not object to the HPMP, the Commission will proceed to ensure that the Licensee implements the HPMP.
 2. If agreement on the HPMP cannot be reached among the Commission, SHPO, CIN-THPO, EBCI-THPO, Corps, Fish and Wildlife Service, National Forest, and the Council; the Commission will request that the Council comment pursuant to Stipulation IV.B of this Programmatic Agreement;
- D. The Licensee will, within 30 days of every anniversary of license issuance, file a report with the SHPO, CIN-THPO, EBCI-THPO, Corps, National Forest, and Fish and Wildlife Service of activities conducted under the implemented HPMP. The report will contain a detailed summary of any cultural resources work conducted during the preceding year; if no work was completed, a letter from the Licensee will be prepared to that effect, and will satisfy the intent of this stipulation.

III. INTERIM TREATMENT OF HISTORIC PROPERTIES

- A. All consultation under this stipulation will be in accordance with 36 C.F.R. Sections 800.4 and 800.5 with the Licensee acting as the Agency Official.
- B. After a license for the Project has been issued, but before the HPMP has been approved by the Commission (hereinafter, "the interim"), the Licensee will consult with the SHPO, CIN-THPO, EBCI-THPO, Corps, National Forest, and Fish and Wildlife Service regarding the effect on historic properties related to any project-related action that may be implemented in the interim.³ The Licensee will consult with the SHPO, CIN-THPO, and EBCI-THPO to apply the criteria of adverse effect, pursuant to 36 C.F.R. Section 800.5(a)(1).

³ Depending on undertaking's scope or location, or types of historic properties affected, the Licensee needs to consult only with the appropriate parties among the whole group of consulting parties listed in this Programmatic Agreement.

1. If the Licensee and SHPO agree that the activity will not adversely affect historic properties, the Licensee may proceed in accordance with any agreed-upon treatment measures or conditions. If the Licensee and the SHPO do not agree, the matter will be resolved in accordance with Stipulation IV of this Programmatic Agreement.
2. If either the Licensee or SHPO determines that the activity may have an adverse effect, the Licensee or SHPO will consult with the other appropriate parties to develop a strategy for avoiding, minimizing, or mitigating adverse effects. If the Licensee and SHPO can reach agreement, the Licensee will implement the agreed-upon strategy. If they disagree, the Licensee will submit the matter to the Commission in accordance with Stipulation IV of this Programmatic Agreement.
3. If the Commission finds that the activity may have an adverse effect, the Commission will initiate the process set forth at 36 C.F.R. Sections 800.6 and 800.7(a) through (c)(3).

IV. DISPUTE RESOLUTION

- A. If at any time during implementation of this Programmatic Agreement and the resulting HPMP, the SHPO, CIN-THPO, EBCI-THPO, Corps, Fish and Wildlife Service, or National Forest object to any action or any failure to act pursuant to this Programmatic Agreement or the HPMP, the party may file written objections with the Commission.
 1. The Commission will consult with the objecting party, and with other parties as appropriate, to resolve the objection. The Commission may initiate on its own such consultation to remove any of the Commission's objections.
- B. If the Commission determines that the objection cannot be resolved, the Commission will forward all documentation relevant to the dispute to the Council and request that the Council comment. Within 30 days after receiving all pertinent documentation, the Council will either:

1. Provide the Commission with recommendations, which the Commission will take into account in reaching a final decision regarding the dispute; or
 2. Notify the Commission that it will comment pursuant to 36 C.F.R. Section 800.7(c)(1) through (c)(3) and Section 110(a)(1) of the National Historic Preservation Act, and proceed to comment.
- C. The Commission will take into account any Council comment provided in response to such a request, with reference to the subject of the dispute, and will issue a decision on the matter. The Commission's responsibility to carry out all actions under this Programmatic Agreement that are not the subject of dispute will remain unchanged.

V. AMENDMENT AND TERMINATION OF THIS PROGRAMMATIC AGREEMENT

- A. The Commission, Licensee, the SHPO, CIN-THPO, EBCI-THPO, Corps, Fish and Wildlife Service, or National Forest may request that this Programmatic Agreement be amended, whereupon these parties will consult in accordance with 36 C.F.R. Section 800.14(b) to consider such amendment.
- B. The Commission or the SHPO may terminate this Programmatic Agreement by providing 30 days written notice to the other parties, provided that the Commission, Licensee, the SHPO, CIN-THPO, EBCI-THPO, Corps, Fish and Wildlife Service, and National Forest consult during the 30-day notice period in order to seek agreement on amendments or other actions that would avoid termination. In the event of termination, the Commission will comply with 36 C.F.R. Sections 800.3 through 800.7(c)(3), with regard to individual actions covered by this Programmatic Agreement.

Execution of this Programmatic Agreement evidences that the Commission has satisfied its responsibilities pursuant to Section 106 of the National Historic Preservation Act, *as amended*, for all individual actions carried out under the license. Provided, however, that unless and until the Commission issues the license for the Project and this Programmatic Agreement is incorporated by reference therein, this Programmatic Agreement has no independent legal effect for any specific license applicant or Project.

FEDERAL ENERGY REGULATORY COMMISSION

By: Ann F. Miles Date: 3/17/2008

Ann F. Miles

Director, Division of Hydropower Licensing

SOUTH CAROLINA STATE HISTORIC PRESERVATION OFFICER

By: Elizabeth M. Johnson Date: 4/3/2008
Elizabeth M. Johnson
South Carolina Deputy State Historic Preservation Officer

CONCUR: SOUTH CAROLINA PUBLIC SERVICE AUTHORITY

By: P.M. Slighty Date: 4/8/2008

CONCUR: CATAWBA INDIAN NATION

By: Chf. D. W. J. Date: 3-28-2008
Chief

By: Gene Blum Date: 3-28-2008
Assistant Chief

By: Jean M. Harris Date: 3-28-2008
Secretary/Treasurer

By: Leigh Anne Bickert Date: 3-27-2008
Executive Committee Member

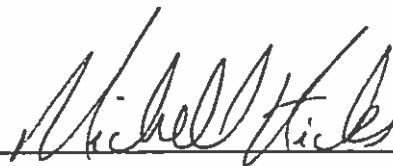
By: Thomas "Butch" Landon Date: 3/28/2008
Executive Committee Member

By: Melissa S. Flenderbaum Date: 3/28/08
Executive Committee Member

By: John Whitford Date: 3/28/08
Executive Committee Member

By: Wenonah H. Haire Date: 3/28/08
Dr. Wenonah Haire
Tribal Historic Preservation Officer

CONCUR: EASTERN BAND OF CHEROKEE INDIANS

By:  Date: 4-14-08
Principal Chief

**CONCUR: U.S. DEPARTMENT OF THE INTERIOR, FISH AND WILDLIFE
SERVICE**

By: _____ Date: _____

CONCUR: U.S. ARMY CORPS OF ENGINEERS,

By:_____ Date:_____

CONCUR: FRANCIS MARION NATIONAL FOREST

By: _____ Date: _____

Appendix A⁴

PROJECT, HISTORIC PROPERTIES, AND ANTICIPATED EFFECTS

The purpose of this appendix is to specify the factual basis of the Programmatic Agreement. Here, relevant facts concerning the project and modifications to the project proposed by the Licensee under the Commission's licensing procedures are reviewed; historic properties subject to the Programmatic Agreement's stipulations are, in part, identified; and the anticipated effects of the license issuing are disclosed.

On March 15, 2004, South Carolina Public Service Authority (SCPSA), filed an application for a new license to continue operating its existing Santee Cooper Hydroelectric Project (FERC Project No. 199), located on the Santee and Cooper Rivers in Berkeley, Calhoun, Clarendon, Orangeburg, and Sumter counties, South Carolina.

We, the parties to the Programmatic Agreement, anticipate that issuing a new license to continue operating and maintaining the existing project may pose adverse effects to historic properties. We anticipate that any adverse effects can be mitigated by executing a Programmatic Agreement requiring the Licensee to develop and implement an HPMP, and incorporating the executed Programmatic Agreement into any license that the Commission issues for the Project.

I. THE PROJECT

A. Project Facilities and Operation

The Santee Cooper Project structures consist of Santee dam (also known as Wilson dam) on the Santee River, Pinopolis dam on the Cooper River, the Diversion canal, the Santee Spillway Hydroelectric Station, and the Jefferies (formerly known as Pinopolis) Hydroelectric Station with a combined installed capacity of 134.5 MW.

⁴ Information in this Appendix is taken from: South Carolina Public Service Authority's license application for the Santee Cooper Project, P-199, March 2004; the Cultural Resources Survey for the Santee Cooper Hydroelectric Project, Volume I: Historic Properties, prepared by Mead and Hunt, July 2003; the Cultural Resources Survey Santee Cooper Hydroelectric Relicensing Project, Volume II: Stage I Archaeology Final Report, prepared by Ralph Bailey, Jr., and David S. Baluha, August 2003; the Draft EIS for Hydropower Relicensing for the Santee Cooper Project, prepared by FERC – Office of Energy Projects, Division of Hydropower Licensing, March 2007; and the Final EIS for Hydropower Relicensing for the Santee Cooper Project, prepared by FERC – Office of Energy Projects, Division of Hydropower Licensing, October 2007.

Santee dam impounds Lake Marion on the Santee River. Lake Marion is about 40 miles long and has an area of about 100,000 acres at a normal pool elevation of 75.0 feet NGVD. The dam consists of the North dam earthen embankment, the gated Santee spillway section, and the South dam earthen embankment. The Santee Spillway Hydroelectric Station is located near Pineville just downstream of the abutment of the Santee spillway to the South dam. The station contains a single, vertical-shaft, turbine-generator with a capacity of 2.0 MW, a rated net head of 46 feet and a maximum hydraulic capacity of 660 cfs. Annual generation for the 10-year period ending in 1999 averaged 13,823 MWh. The station is used to maintain a minimum flow of 500 cfs in the Santee River.

Most of the water impounded by Santee dam exits Lake Marion through the 5-mile-long Diversion canal to Lake Moultrie. The canal is 200 feet wide at the bottom (elevation 48.0 feet) and nearly 400 feet wide at the surface (normal water surface elevation is 74.0 to 74.8 feet). There is no control structure in the Diversion canal, and all flow not passed by Santee dam enters Lake Moultrie through the canal.

The Pinopolis dam impounds Lake Moultrie. Lake Moultrie is about 10 miles long and has an area of about 60,000 acres at a normal pool elevation of about 75.0 feet. The Pinopolis dam structures consist of the West dam, West dike, East dam, East dam extension, East dike, North dike, Pinopolis lock, and the Jefferies Hydroelectric Station, which is located near Pinopolis. The 380-foot-long by 185-foot-wide station has an integral intake structure and contains one 10.125-MW unit and four 30.6-MW units, with a total maximum hydraulic capacity of 28,000 cfs. The Jefferies Hydroelectric Station was designed to accommodate an additional 30.6-MW generating unit to allow for potential expansion of generation capacity. The station is operated in a semi-peaking mode in accordance with agreements between SCPSA and the U.S. Army Corps of Engineers (Corps) Cooper River Rediversion Project.⁵ Discharge through Jefferies station typically is restricted to an average weekly flow of 4,500 cfs, although additional discharges may be made to mitigate high saline levels in the downstream Bushy Park industrial complex, or to provide cooling water for the operation of the applicant's adjacent steam generating station. Some flow is also used for the operation of the Pinopolis lock for boat and upstream fish passage. Annual generation at the Jefferies station, for the 10-year period ending in 1999, averaged 210,204 MWh.

⁵ In 1968, Congress enacted Public Law 90-483, which, among other things, authorized the construction and operation of the Cooper River Rediversion Project (St. Stephen Project). The flow requirements, as well as other pertinent operational considerations that affect the entire Santee Cooper Project flows, are outlined in a contract between Santee Cooper and the Corps, referred to as the Cooper River Rediversion Project Contract, No. DACW60-7-C-0005. As a federally owned project, the St. Stephen development is outside of the Commission's jurisdiction.

The non-jurisdictional Corps' Cooper River Rediversion Project includes a Rediversion canal that returns water from Lake Moultrie back to the Santee River, an 84-MW hydroelectric station located near the town of St. Stephen, and a fish lift to allow fish to pass upstream beyond the St. Stephen Hydroelectric Station. SCPSA operates the St. Stephen station, on behalf of the Corps, in a semi-peaking mode. The St. Stephen station uses the remainder of the discharge from Lake Moultrie not utilized by the Jefferies Hydroelectric Station and the Pinopolis lock.

The applicant is not proposing any changes in project structures and proposes minor changes in operations.

B. Project Boundary

The jurisdictional, SCPSA-owned part of the Santee Cooper Project comprises several facilities and associated lands and waters along the Santee and Cooper rivers. SCPSA owns more than 32,151 acres of lands, 19,989 acres of which are contained within the project boundary. The project boundary along Lake Marion either follows a metes-and-bounds description, or is set at 30 linear feet from the high water mark at elevation 76.8 feet National Geodetic Vertical Datum (NGVD).⁶ The project boundary begins at the confluence of the Congaree and Wateree rivers and includes the Upper Santee Swamp, which is comprised of 35,780 acres of predominantly forested wetlands contained within the 100-year floodplain at the headwaters of Lake Marion, and lands downstream of Santee dam containing the project works. The project boundary at Lake Moultrie also either follows a metes-and-bounds description, or is set at 30 linear feet from the high water mark at elevation 75.5 feet NGVD. The project boundary includes 19,989 acres of lands, 35,780 acres of the Upper Santee Swamp, and about 160,000 acres of reservoirs for a total of about 215,769 acres.

There are no federal lands located within the project boundary. However, the project boundary includes 914 acres of land located within the project boundary, and approximately 5,000 acres of land underlying the waters of Lake Marion, that SCPSA leases to the Fish and Wildlife Service for the Santee National Wildlife Refuge (Wildlife Refuge).

C. Licensee's Proposed Environmental Measures

SCPSA proposes to implement a PA, including a HPMP, to guide its management of the project's historic properties during the term of the license. SCPSA has also proposed various environmental measures for other environmental resources.

⁶ Metes and bounds refers to specific distance measurements (metes) and definite boundary markers (bounds). This system of land description uses physical features of local geography, along with directions and distances, to define and describe the boundaries of the parcel of land.

II. HISTORIC PROPERTIES IDENTIFIED

A. Area of Potential Effects

The Santee Cooper Project's area of potential effects (APE) is the geographical area or areas in which issuance of a license to continue operation and maintenance of the Project may affect properties included in or eligible for inclusion in the National Register of Historic Places.

The Santee Cooper Project's APE includes (a) lands enclosed by the project boundary as delineated in the existing license, as well as associated structures that are functionally, historically, structurally, or spatially connected to the project; (b) upland areas included within the upland easement held by the applicant, as described above; and (c) lands or properties outside the project boundary where project operation, recreational development, habitat improvement projects, or other project-related development or use may cause changes in the character or use of historic properties, if any historic properties exist.

B. Historic Project Features

The APE for above-ground resources includes those buildings and structures that are outside the project boundary but that are historically and operationally part of the functioning of the project. Several above-ground resources have been evaluated for the National Register. In 1989, during an archaeological survey of Berkeley County, the Jefferies powerhouse and the Pinopolis lock were recommended eligible for the National Register. In addition, the Cooper River Historic District initially included the Jefferies powerhouse, Pinopolis lock, and tailrace canal as contributing elements. However, the district boundary has since been revised to exclude the Santee Cooper Project.

Mead & Hunt (2003) evaluated the above-ground resources that are associated with the development of the project. Its report recommended the creation of a Santee Cooper Hydroelectric Project Historic District. The following components contribute to the eligibility of this district, and should be considered as Historic Properties:

- Pinopolis dam
- Jefferies powerhouse
- Pinopolis lock
- West dam
- West dike
- East dam and East dam extension
- Santee North dam
- Santee South dam
- Diversion canal

- Tailrace canal
- East dike
- North dike
- Auxiliary buildings
- Santee dam
- Santee Spillway Hydroelectric Station
- Santee spillway
- Lake Moultrie
- Lake Marion

The Santee Cooper Project was recommended eligible for National Register inclusion under *Criterion A*, because of its “association with events that have made a significant contribution to the broad patterns of our history” and under *Criterion C*, as a property that embodies “the distinctive characteristics of a type, period, or method of construction.”

The Project’s structures retain a high degree of architectural integrity. Its anti-malarial component is significant at the local level for the role it played in improving residents’ health. At the state level, the project is significant for its role in providing electricity to areas previously without electrical service, and as the largest New Deal project in South Carolina during the Great Depression. At the national level, the project is significant for its important engineering advances and for the role the facility played in powering Charleston’s defense industry during World War II.

C. Historic Non-Project Properties in the Area of Potential Effects

The Atlantic Coast Line Railroad Lift Bridge, which spans the tailrace canal near Pinopolis lock, is eligible for the National Register under *Criterion C: Engineering*, and should be considered as a Historic Property. The bridge was constructed by SCPSA to replace a bridge that had to be removed for construction of the Santee Cooper Project. The bridge consists of two Warren truss approach spans and a Warren truss main span. A pair of towers supports the lift mechanism and an operator’s house, which is located in the north tower. The bridge gains state-level significance as intact example of a rare bridge type in South Carolina.

D. Archaeological Resources in the Area of Potential Effects

The area through which the Santee and Cooper rivers flow has been inhabited by Native Americans for nearly 10,000 years. There was a very clear and strong presence of Native Americans in the inner coastal plain of South Carolina when European explorers first entered the region, and it continued well into the period of European settlement. Bailey and Baluha (2003) noted that 94 previously recorded archaeological sites lay within the APE. Many of these previously recorded sites were identified by amateur

archaeologists, who frequently provided only minimal location information. Most of the previously identified archaeological sites are located on landforms that overlook water, such as ridges, ridge-noses, inter-stream divides, terrace edges, and bluffs. These 94 sites include 60 that contained exclusively pre-European contact sites, 10 that contained exclusively post-contact sites, and 24 that had either multiple components or whose age was not determined.

Only 28 of the 94 archaeological sites had been evaluated in terms of the National Register prior to Bailey and Baluha (2003). Three of these sites are listed on the National Register, 1 is eligible, 12 are potentially eligible, and 12 are not eligible. The remaining 66 sites had not been evaluated for the National Register.

The combined shoreline of Lakes Marion and Moultrie and the shoreline of the various islands in the two lakes contain about 400 miles. Of this, about 111 miles are developed for residential, commercial, or industrial uses, or are occupied by dams or dikes; these areas have a low potential to contain archaeological resources given the soil disturbance. Bailey and Baluha (2003) conducted a sample survey of 96 miles of shoreline, which represents 33 percent of the undeveloped shoreline and islands; much of this surveyed area was within the Santee NWR.

Bailey and Baluha (2003) revisited and verified the locations of 7 of the previously identified sites, and recorded 50 new archaeological sites and 10 isolated finds. Of the 50 new sites, 18 were located in areas that have experienced erosion. These sites were not evaluated for eligibility to the National Register, because the level of survey that would be required to make such an assessment would require surveying lands that are on private property outside of the project boundary.

III. ANTICIPATED EFFECTS AND MITIGATIVE NEEDS

The proposed issuance of a new license to the Licensee for the Santee Cooper Project could have effects both beneficial and adverse on historic properties in the project's APE.

A. Historic Project Features

Inasmuch as the above-listed contributing components to the Santee Cooper Hydroelectric Project Historic District are historic properties, issuing the Licensee a new license to operate the Santee Cooper Project under the protection afforded by section 106, is generally to be considered a beneficial effect. In itself, however, operating the Project under the protections afforded by section 106 does not ensure that no adverse effects would ensue.

Moreover, in the absence of an operation and maintenance plan designed to hold intact the historic integrity of a historic property, unanticipated adverse effects on a

historic property could occur in the future. Adverse effects could occur to licensed historic project features due to repairs and modifications that may be necessary during the course of project operation. Adverse effects could also inadvertently occur during routine daily activities of the project facilities.

Although the undertaking may adversely affect the historic properties, adverse effects can and should be taken into account by requiring the Licensee to develop and implement a HPMP that includes guidelines for operating and maintaining the project that would not diminish its National Register eligibility.

The construction of fish passage measures and other new project facilities has the potential to adversely affect the historic properties, by affecting the physical integrity of the historic fabric of the dams and by affecting the visual and spatial integrity of the setting of the two dams. Details for addressing any adverse effects that may result from construction of the fish passage system should be provided in the HPMP.

B. Historic Non-Project Properties in the Area of Potential Effects

The Atlantic Coast Line Railroad Lift Bridge is outside the project boundary. Although no effects on the bridge are expected to result from project operation and maintenance, unanticipated project-related effects on attributes of the bridge that contribute to its National Register eligibility should be provided for in the HPMP.

C. Archaeological Resources

The HPMP should address consultation needs for development along the shoreline of the project and on other project lands. Archaeological and historic sites in areas that experience human interaction, development, and other disturbances are vulnerable to erosive effects of pedestrian and other traffic and ground disturbance, as well as the effects of unauthorized artifact collectors. Archaeological resources could also be adversely affected by ground disturbance associated with construction activities for the installation of fish passage structures, and the construction of project-related navigational and recreational improvements such as the elevated bird observation deck in the Santee NWR, mooring piers, boat launches, deepwater access improvements to existing boat landings, bank fishing access improvements, and parking improvements.

The HPMP should provide for site evaluations that may be needed for taking into account potential effects on archaeological and historic properties from these activities and other changes in project facilities or land use. Provisions should also be included for sites that may need erosion control and monitoring even without changes in facilities or land use.

The HPMP should provide for considering effects on archaeological and historic properties when evaluating additional developments at the project proposed either by SCPSA or requested through the land management permitting process. The HPMP

should provide operational guidance to SCPSA staff in implementing the requirements of the PA. The HPMP should provide for a monitoring program to identify potential threats and implement appropriate protective measures on a regular schedule.

The HPMP should establish a program for monitoring reservoir shoreline and downstream riverbank erosion could adversely affect the National Register eligibility characteristics of archaeological resources. The monitoring program should include listed, eligible, and potentially eligible archaeological sites that are identified now or in the future. The monitoring program should also cover looting. With the proper training, this monitoring could be completed by personnel that are already conducting monitoring activities for other purposes.

The HPMP should provide for identifying unanticipated downstream effects that might occur in the lower Santee River, such as erosion that might result from project operations and adversely affect archaeological sites. Archaeologists contracted by SCPSA could work with the archaeological staff at the Francis Marion National Forest and with the South Carolina Institute for Archaeology and Anthropology to identify and locate known archaeological sites along the Santee River downstream of the project. Such a survey could identify sites that may be affected by erosion and by changes in use that may result from project operations, and could identify needed protective measures.

The HPMP should also describe any measure(s) proposed for public education on the history of the project area.

D. Previously Undiscovered Historic Properties

Although studies designed to identify archeological sites have been conducted along the impoundment shorelines, there is a possibility that there could be significant undiscovered properties along the shorelines that could be adversely affected by future changes in project operation.

The PA stipulates that the HRMP address protection of Historic Properties threatened by project-induced shoreline erosion, including completion, if necessary, of identification of Historic Properties within the Project's APE. The HRMP would take into account impoundment shoreline studies designed to identify archeological sites and discovery of previously unidentified properties during project operations, such as might occur due to new shoreline erosion caused by a change in project operation.



SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Office of Environmental Analysis

April 25, 2018

Marlys Osterhues
Chief, Environmental and Corridor Planning
Federal Railroad Administration
Office of Program Delivery
1200 New Jersey Avenue SE
W36-317
Washington DC 20590

**Re: STB Docket No. FD 36095, Palmetto Railways – Construction Exemption –
In Berkeley County, South Carolina; Cooperating Agency Invitation**

Dear Ms. Osterhues:

On August 3, 2017, Palmetto Railways (Palmetto) filed an exemption petition with the Surface Transportation Board (Board) under 49 U.S.C. § 10502 to construct and operate a 22.7-mile rail line between the A-Line of CSX Transportation, Inc. (CSXT) near Santee Cooper's Cross Generating Station (through the CSXT Cross Subdivision connection) and the Camp Hall Commerce Park (Proposed Route) in Berkeley County, South Carolina (see attached Project Map). The Board's Office of Environmental Analysis (OEA) along with the Charleston District United States Army Corps of Engineers (Corps), as joint lead agencies, and the United States Coast Guard (USCG) as a cooperating agency, are evaluating the potential environmental effects of the proposed project, pursuant to the National Environmental Policy Act of 1969 (NEPA).¹

The Camp Hall Commerce Park comprises approximately 6,781 acres, of which 2,880 acres have been permitted for development of the Volvo Cars of North America facility in Berkeley County. An additional 1,387 acres of the Camp Hall Commerce Park has been permitted for industrial development by the South Carolina Public Service Authority (Santee Cooper). The Line is intended to bring industrial rail service to the Volvo Cars facility, as well as the areas being developed by Santee Cooper. In addition, the Line would support the State of South Carolina and Berkeley County's infrastructure needs and help reduce large commercial

¹ A project specific website was created to provide information pertaining to the project and the environmental review process – <http://www.camphallrailnepa.com/>

truck traffic on area highways. Palmetto estimates its projected train traffic at five round trips (a total of ten trains) per week.

On November 2, 2017, Palmetto submitted an application to the United States Department of Transportation for an Infrastructure for Rebuilding America (INFRA) grant to construct the Line.² If the grant is awarded, we believe the project would fall under your jurisdictional authority. Therefore, consistent with 40 C.F.R. § 1501.6, we are inviting the Federal Railroad Administration to be a cooperating agency on the basis of your special expertise and jurisdiction by law.

Background

As background, in August 2017, Palmetto submitted an Environmental Report that analyzed six alternative routes to determine its preferred alternative. Palmetto evaluated each alternative using criteria such as: direct access to the Camp Hall and Volvo Cars facility and accompanying freight railyard; efficient direct access to the Port of Charleston; engineering and construction costs; potential impacts to properties; potential environmental impacts to relevant environmental resource areas including land use, safety, water resources, air quality, biological resources, traffic and transportation, and cultural resources, and; the ability to mitigate potential environmental impacts. After applying the criteria and receiving public comments, Palmetto determined that the Cross Route would be the applicant's Proposed Route.

In August of 2017, OEA, working with the Corps and USCG, began consultation with approximately 55 tribes and federal, state and local agencies. OEA sent each entity a letter that described the project area and requested information on environmental resources that could be affected by the proposal, as well as what approvals and permits might be required. Commenters indicated that construction of Palmetto's Proposed Route had the potential to impact federally threatened and endangered species and state species of concern; prime agricultural farmland; wetlands; floodplains; water quality; and cultural resources.

After considering the responses to the consultation letters, OEA, the Corps, USCG, and OEA and the Corps' third-party consultant for this project, ICF Jones and Stokes, Inc. (ICF), conducted a site visit to the project area on October 24, 2017. Palmetto also attended the site visit. The site visit participants were able to observe area geomorphology; topography; vegetation; wildlife; water resources; traffic and land use in the project area.

On March 7, 2018, the Corps hosted an interagency meeting in Charleston to allow Palmetto to present an overview of the proposed project to a number of federal and state

² The application filing is for the Camp Hall Industrial Corridor, opportunity number NSFHP-17-18-INFRA, and requests \$55,000,000.00 as a federal share of the total project costs for the development of an industrial rail corridor to create access and serve the Camp Hall Commerce Park.

agencies. OEA, USCG, and ICF also participated in the meeting. Agencies were able to become familiar with the project, ask questions, and explain their review processes.

Based on the information available to date—Palmetto's Environmental Report, responses to the consultation letters, the site visit, OEA and the Corps' independent review of Palmetto's six alternative routes, and the interagency meeting—OEA and the Corps believe that the construction and operation of the Proposed Route would not likely result in significant environmental impacts and that potential environmental impacts most likely could be minimized below significance through appropriate mitigation measures. Therefore, we have concluded at the present time that preparation of an Environmental Assessment (EA) is the appropriate level of environmental documentation.

On April 4, 2018, the Corps issued a Public Notice in response to an application submitted by Palmetto 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.³ The Public Notice comment period ends May 4, 2018.

The Draft EA will be prepared following the close of the Public Notice comment period. The Draft EA will examine existing social, economic, and environmental conditions to serve as the baseline for comparing the potential impacts that construction and operation of the Proposed Route versus the No-Action Alternative would have on the area, consistent with NEPA and other relevant statutes and regulations. OEA and the Corps will make it available for public review and comment.

Once the comment period for the Draft EA has concluded, OEA, the Corps, and cooperating agencies, will prepare a Final EA discussing the comments received on the Draft EA and including any appropriate modifications to its existing analysis or additional analysis. The Final EA will also set forth final recommended mitigation measures. The Board will then consider both the Draft EA and Final EA, the public comments, Palmetto's voluntary mitigation measures, OEA's mitigation recommendations, and the Corps' compensatory mitigation requirements before making its final decision in this proceeding. Should the process disclose unanticipated impacts that are significant and cannot be adequately mitigated, the Board and the Corps will require the preparation of an EIS.

³ Public Notice P/N SAC 2016-1395 for Clean Water Act Section 404 permit and 401 Water Quality Certification; and Rivers and Harbors Act Section 10 Permit. Available: http://www.sac.usace.army.mil/Portals/43/docs/regulatory/publicnotices/April2018_PN/SAC-2016-1395_Camp_Hall_Rail_Berkeley_County.pdf?ver=2018-04-04-083256-310

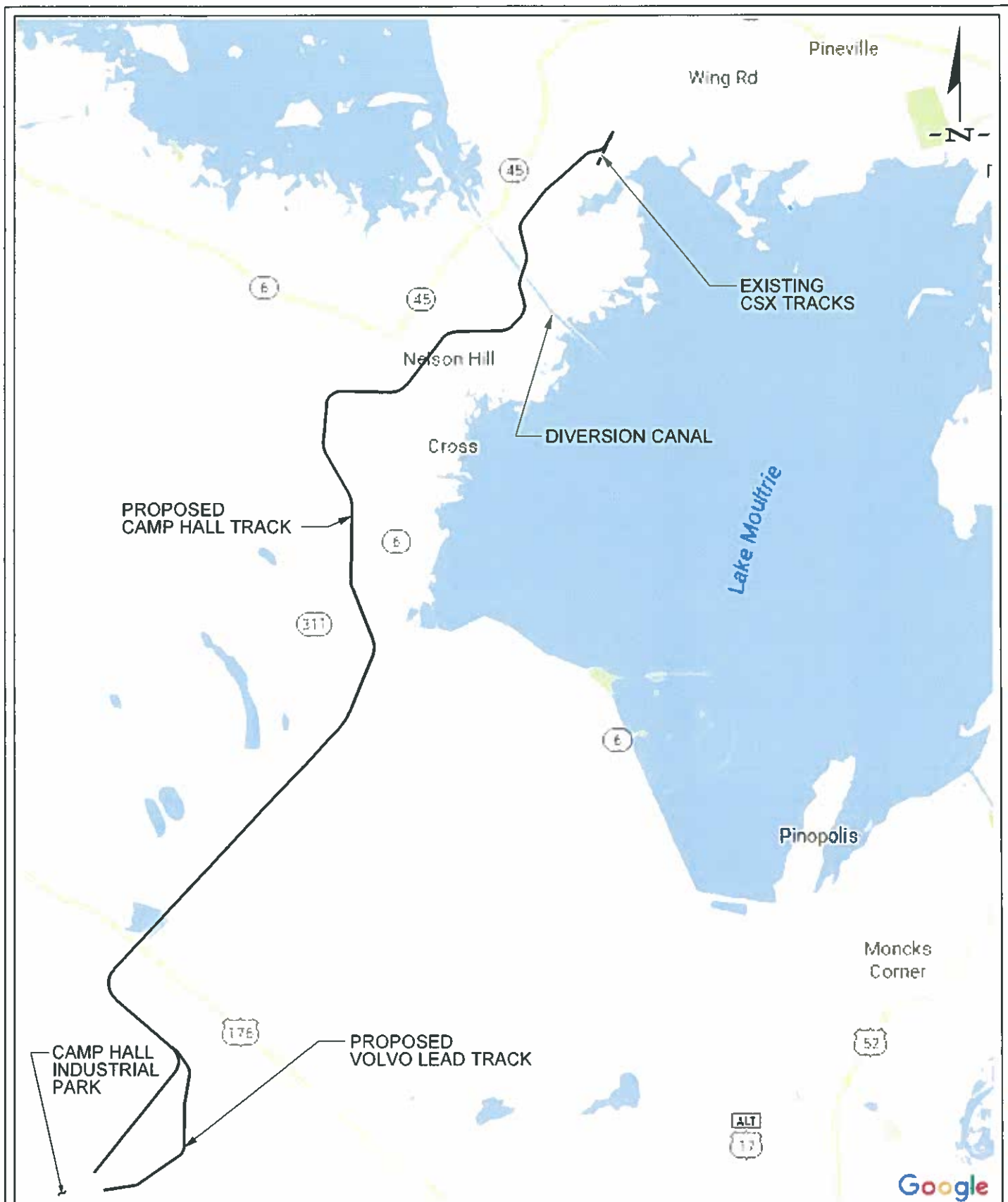
We look forward to hearing from you within the next 30 days regarding FRA's participation in this project as a cooperating agency. If you have any questions, please do not hesitate to contact me or Diana Wood, OEA Project Manager at 202-245-0302 or by email at diana.wood@stb.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read "Victoria Rutson".

Victoria Rutson
Director, Office of Environmental Analysis

cc: Elizabeth G. Williams, U.S. Army Corps of Engineers
William G. Tate, U.S. Coast Guard



APPLICANT: PALMETTO RAILWAYS



LOCATION MAP

PALMETTO RAILWAYS
CAMP HALL RAIL PROJECT
 BERKELEY COUNTY, SOUTH CAROLINA
 APPLICATION FOR DEPARTMENT OF ARMY 404 PERMIT
 APPLICATION # SAC-2016-01395
 DATE: MARCH 2018





SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Office of Environmental Analysis

May 18, 2018

CarLisa Linton-Peters
Federal Energy Regulatory Commission
888 First Street NE
Rm 72-75
Washington, DC 20426

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

Dear Ms. Linton-Peters,

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.

This letter has two purposes:

- First, to learn whether the Federal Energy Regulatory Commission 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 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.

CarLisa Linton-Peters, Federal Energy Regulatory Commission

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,

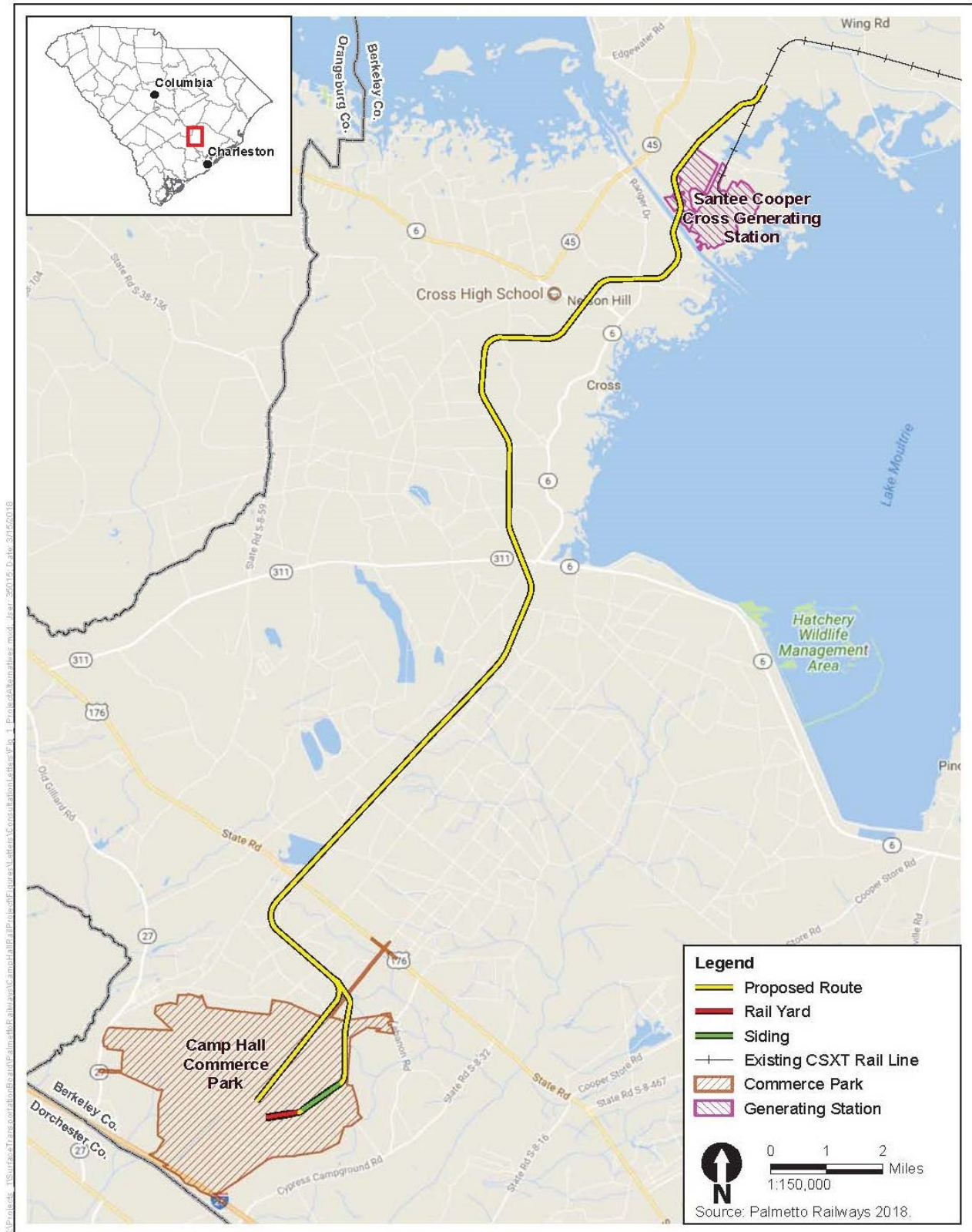
A handwritten signature in black ink, appearing to read "Victoria Rutson". The signature is fluid and cursive, with the first name "Victoria" and last name "Rutson" clearly distinguishable.

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**

Federal Energy Regulatory Commission

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 Federal Energy Regulatory Commission 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: _____

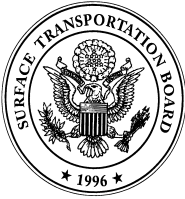
Phone: _____

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

John Winkle
Federal Railroad Administration
61 Forsyth St SW
Ste 16T20
Atlanta, GA 30303

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

Dear Mr. Winkle,

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.

This letter has two purposes:

- First, to learn whether the Federal Railroad Administration 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 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.

John Winkle, Federal Railroad Administration

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 fluid and cursive, with the first name "Victoria" and last name "Rutson" clearly distinguishable.

Victoria Rutson
Director
Office of Environmental Analysis

CC: Marlys Osterhues, Chief of Environmental and Corridor Planning

Attachments:

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

The map displays the proposed Palmetto Railways route, highlighted in yellow, connecting Camp Hall Commerce Park in the south to the Santee Cooper Cross Generating Station in the north. The route passes through Cross and Newton Hill. Key features include:

- Legend:**
 - Proposed Route (Yellow line)
 - Rail Yard (Red line)
 - Siding (Green line)
 - Existing CSXT Rail Line (Black line with cross-ticks)
 - Commerce Park (Hatched area)
 - Generating Station (Pink hatched area)
- Scale:** 0 to 2 miles, 1:150,000.
- North Arrow:** Points North.
- Source:** Palmetto Railways 2018.

An inset map in the top left corner shows the location of the project within South Carolina, with Columbia and Charleston marked. The main map also shows various roads (e.g., State Rd 311, 176, 45, 6, 27, 2, 104, 136, 59, 322, 16, 467, 10, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841

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

Federal Railroad Administration

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 Federal Railroad Administration 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

Marlys Osterhues
Federal Railroad Administration
1200 New Jersey Ave SE
W36-317
Washington, DC 20590

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

Dear Ms. Osterhues,

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.

This letter has two purposes:

- First, to learn whether the Federal Railroad Administration 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 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.

Marlys Osterhues, Federal Railroad Administration

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 fluid and cursive, with the first name "Victoria" and last name "Rutson" clearly distinguishable.

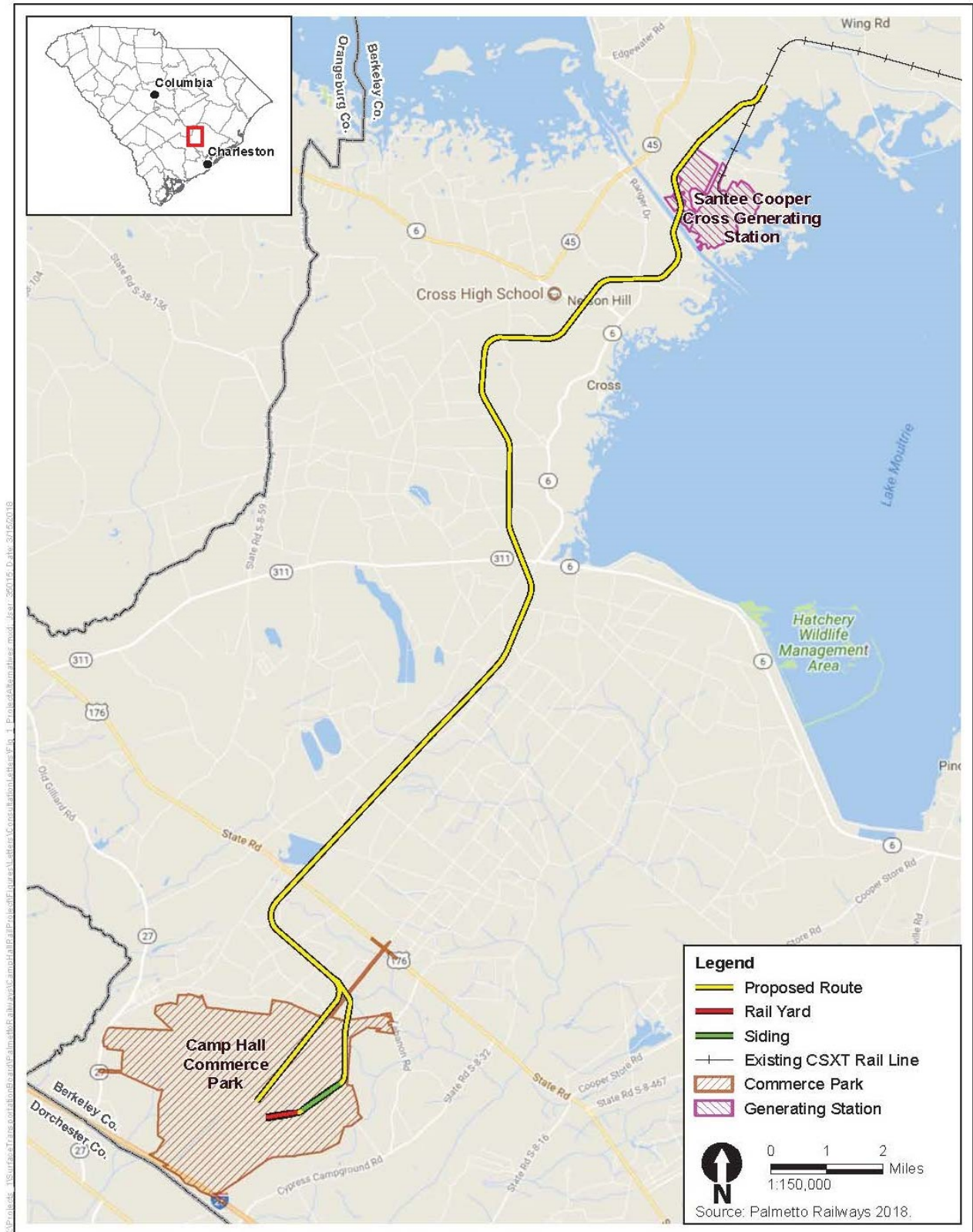
Victoria Rutson
Director
Office of Environmental Analysis

cc: John Winkle, Region 3

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

Federal Railroad Administration

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 Federal Railroad Administration 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

John Winkle
Federal Railroad Administration
61 Forsyth St SW
Ste 16T20
Atlanta, GA 30303

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

Dear Mr. Winkle,

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.

This letter has two purposes:

- First, to learn whether the Federal Railroad Administration 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 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.

John Winkle, Federal Railroad Administration

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 fluid and cursive, with the first name "Victoria" and last name "Rutson" clearly distinguishable.

Victoria Rutson
Director
Office of Environmental Analysis

cc: Marlys Osterhues, Chief of Environmental and Corridor Planning

Attachments:

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

[illegible]

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

Federal Railroad Administration

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 Federal Railroad Administration 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

Marlys Osterhues
Federal Railroad Administration
1200 New Jersey Ave SE
W36-317
Washington, DC 20590

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

Dear Ms. Osterhues,

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.

This letter has two purposes:

- First, to learn whether the Federal Railroad Administration 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 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.

Marlys Osterhues, Federal Railroad Administration

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,

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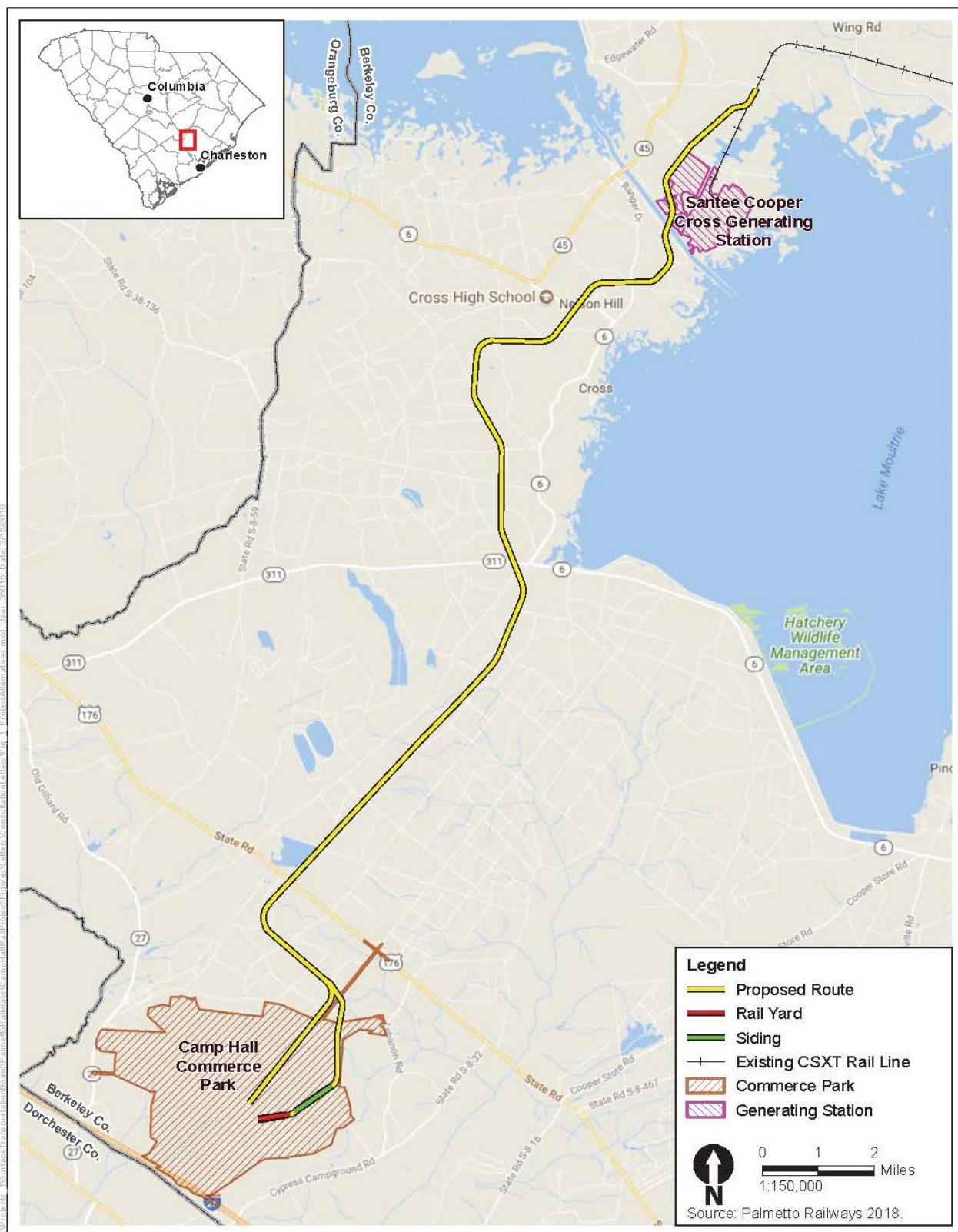
Victoria Rutson
Director
Office of Environmental Analysis

CC: John Winkle, Region 3

Attachments:

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

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

Federal Railroad Administration

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 Federal Railroad Administration 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

Gregg Waugh
South Atlantic Fishery Management Council
4055 Faber Place Drive
Suite 201
North Charleston, SC 29405

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

Dear Mr. Waugh,

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.

This letter has two purposes:

- First, to learn whether South Atlantic Fishery Management Council 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 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.

Gregg Waugh, South Atlantic Fishery Management Council

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 fluid and cursive, with the first name "Victoria" and last name "Rutson" clearly distinguishable.

Victoria Rutson

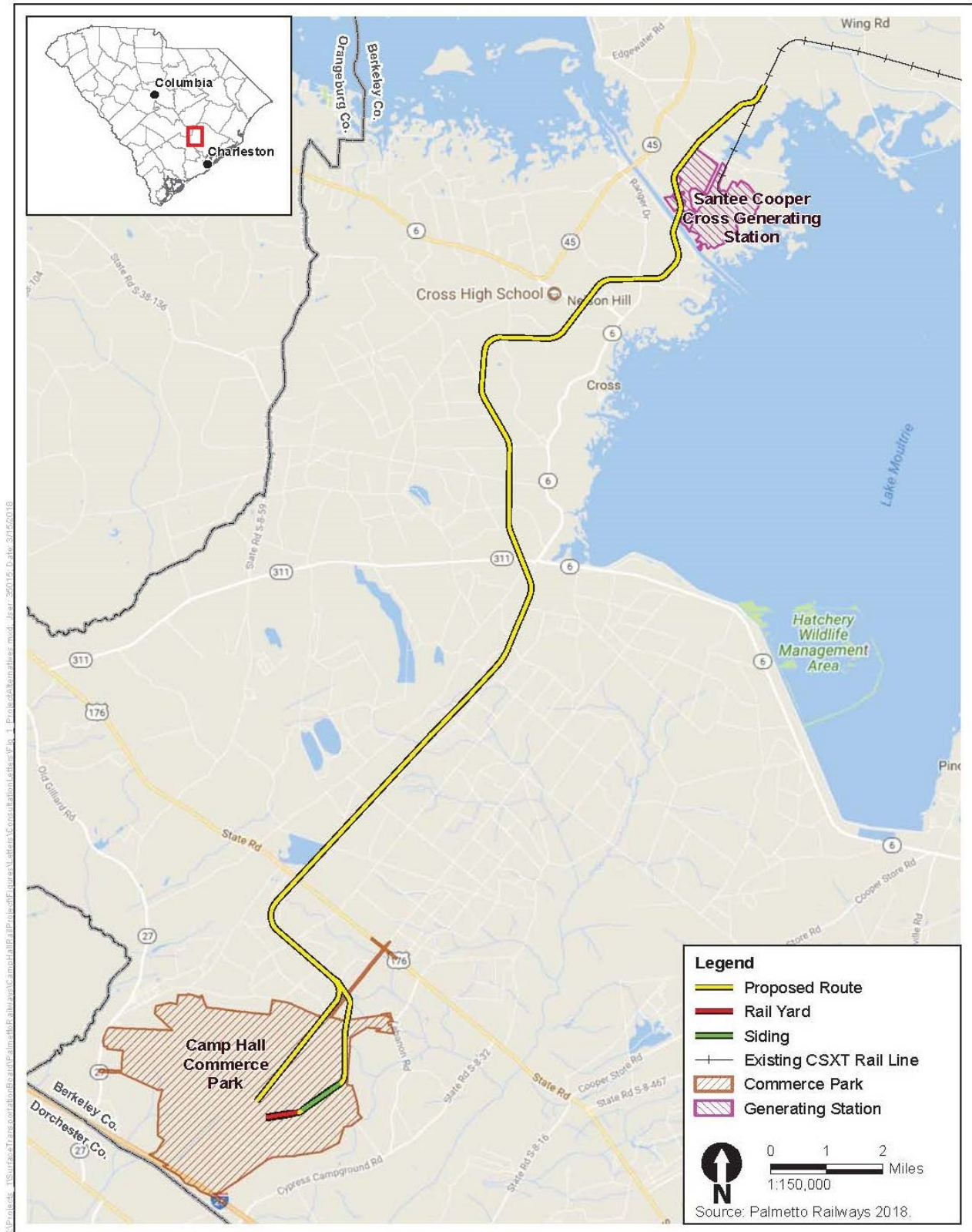
Director

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**

South Atlantic Fishery Management Council

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 South Atlantic Fishery Management Council 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: _____

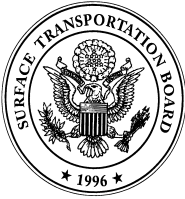
Phone: _____

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

Barry Dragon
U.S. Coast Guard
909 Se 1St Ave
#510
Miami, FL 33131

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

Dear Mr. Dragon,

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.

This letter has two purposes:

- First, to learn whether the U.S. Coast Guard 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 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.

Barry Dragon, U.S. Coast Guard

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,

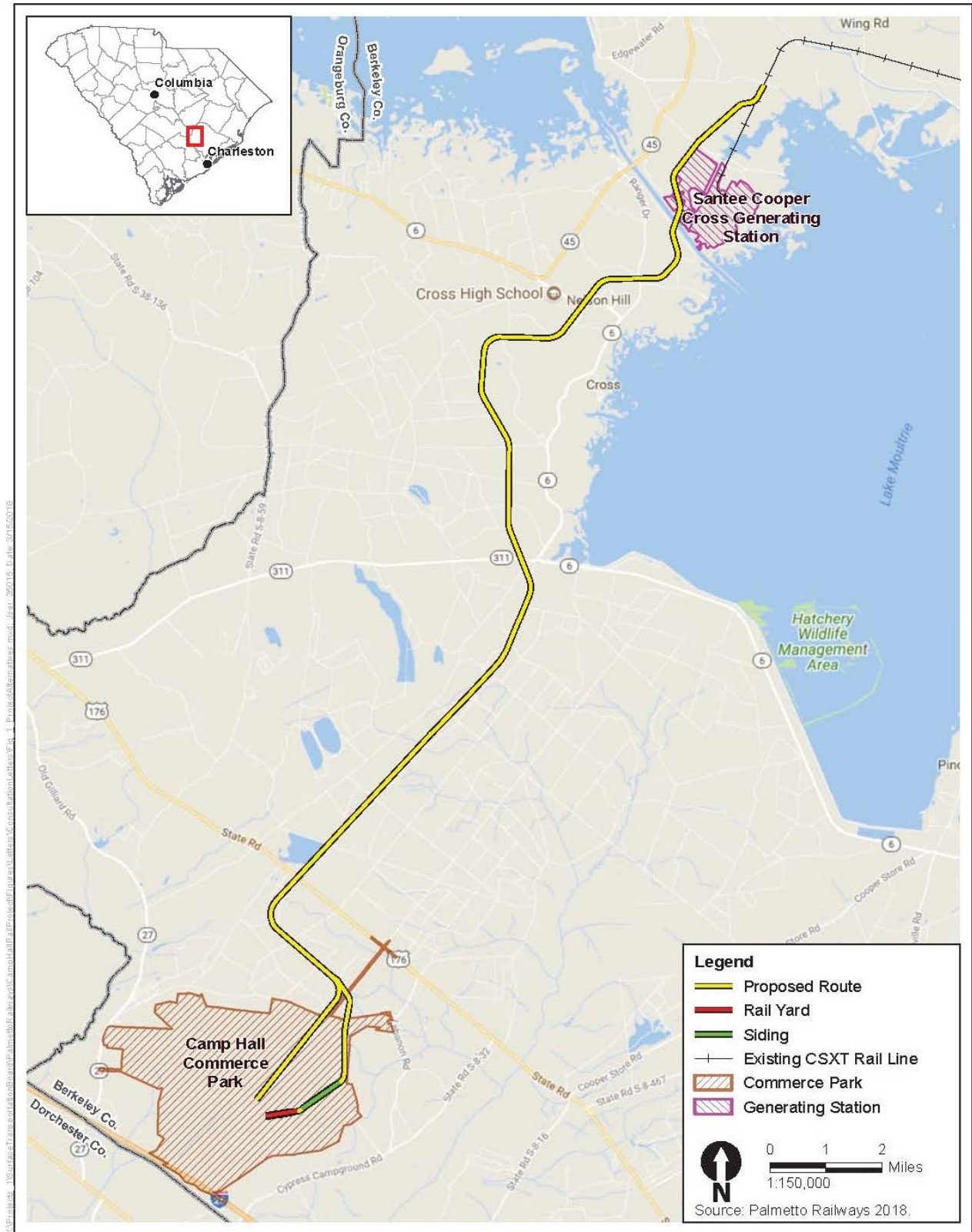
A handwritten signature in black ink, appearing to read "Victoria Rutson". The signature is fluid and cursive, with the first name "Victoria" and last name "Rutson" clearly distinguishable.

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**

U.S. Coast Guard

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 the U.S. Coast Guard 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

Ann English
USDA Natural Resources Conservation Service
1835 Assembly St
Rm 950
Columbia, SC 29201

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

Dear Ms. English,

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.

This letter has two purposes:

- First, to learn whether USDA Natural Resources Conservation Service 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 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.

Ann English, USDA Natural Resources Conservation Service

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,

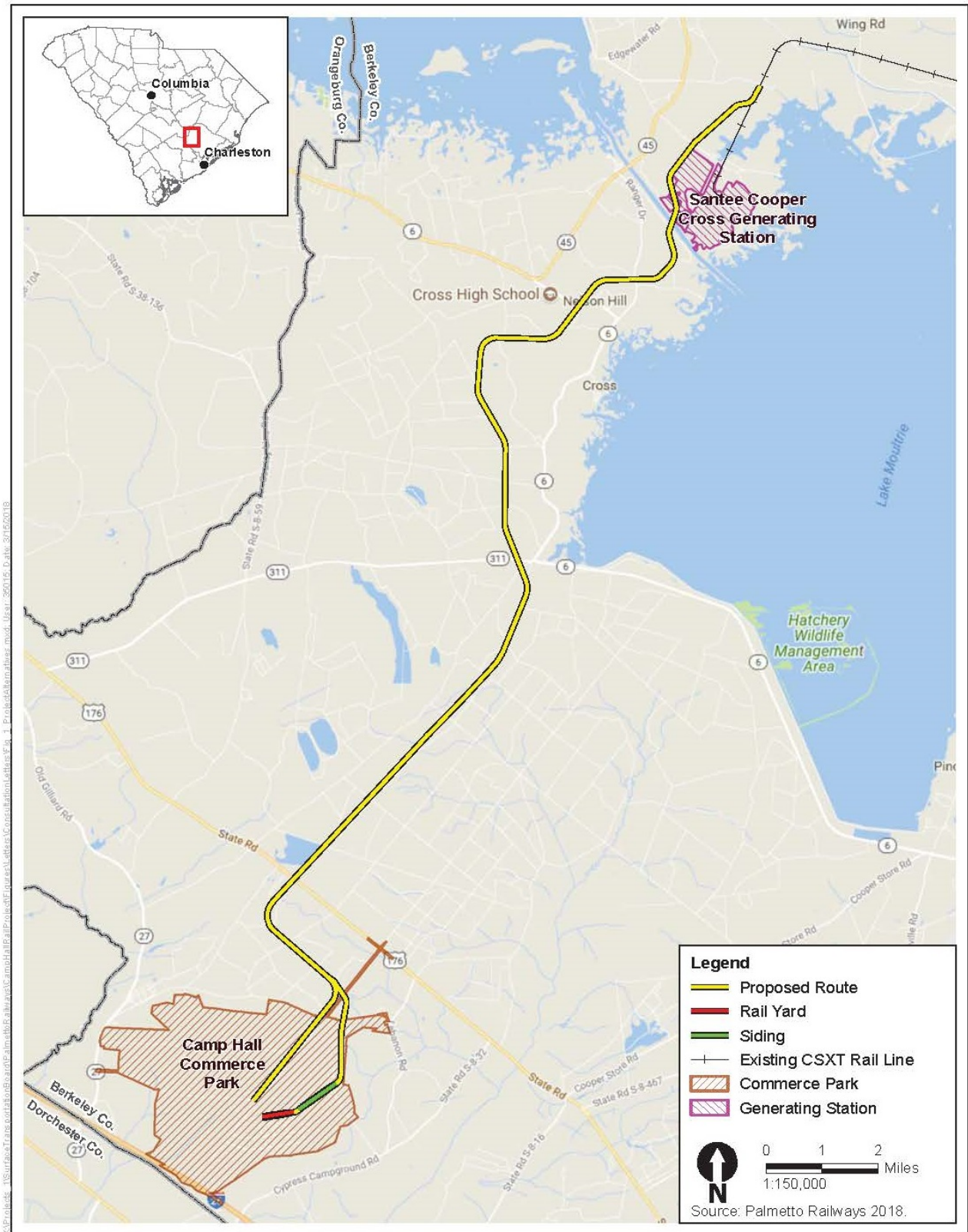
A handwritten signature in black ink, appearing to read "Victoria Rutson". The signature is fluid and cursive, with the first name "Victoria" and last name "Rutson" clearly distinguishable.

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**

USDA Natural Resources Conservation Service

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 USDA Natural Resources Conservation Service 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

Christopher Militscher
U.S. Environmental Protection Agency
Sam Nunn Atlanta Federal Ctr
61 Forsyth St, SW
Atlanta, GA 30303

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

Dear Mr. Militscher,

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.

This letter has two purposes:

- First, to learn whether the U.S. Environmental Protection Agency 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 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.

Christopher Militscher, U.S. Environmental Protection Agency

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,

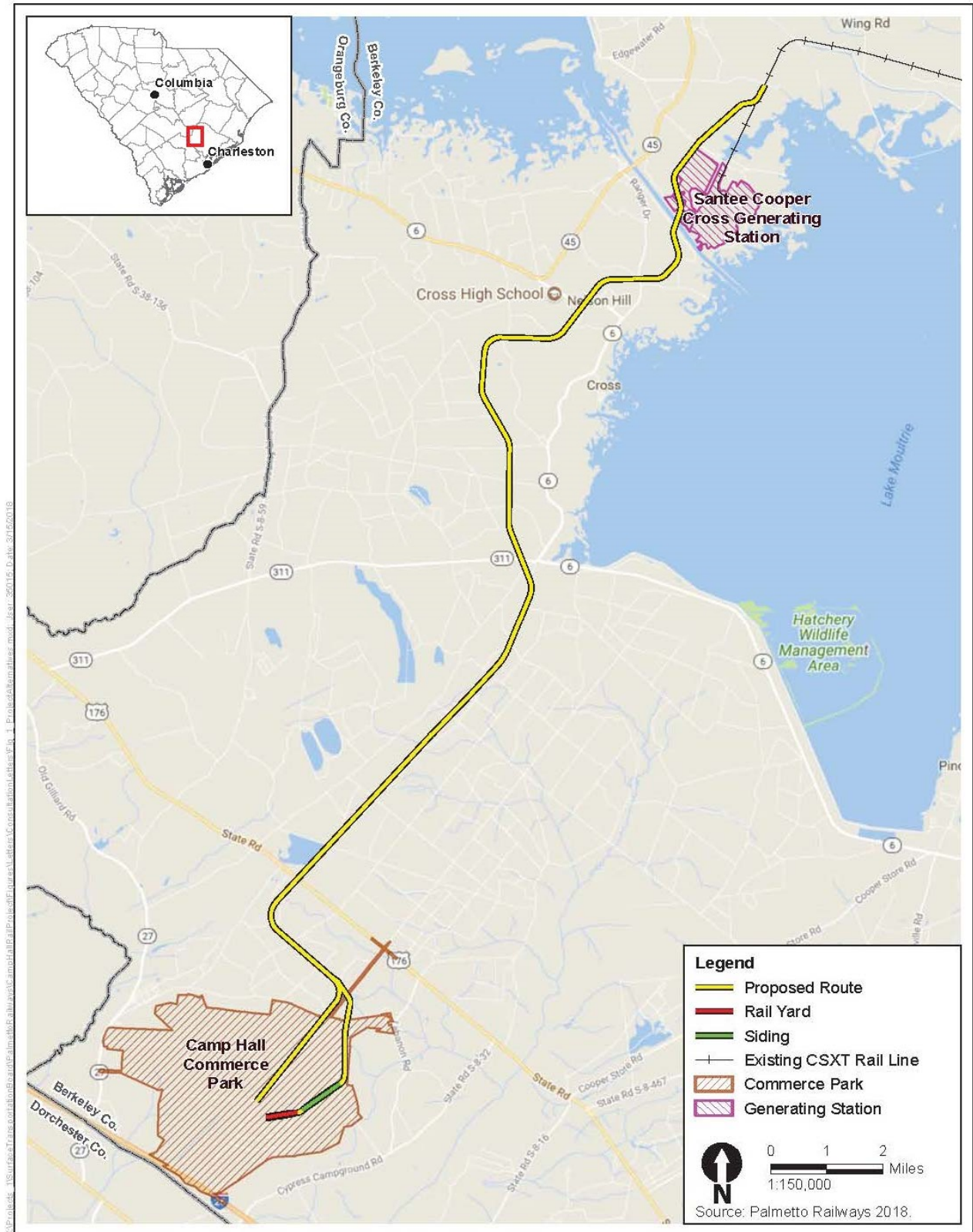
A handwritten signature in black ink, appearing to read "Victoria Rutson". The signature is fluid and cursive, with the first name "Victoria" and last name "Rutson" clearly distinguishable.

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**

U.S. Environmental Protection Agency

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 U.S. Environmental Protection Agency 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: _____

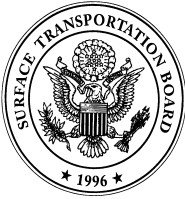
Phone: _____

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

Tom McCoy
U.S. Fish and Wildlife Service
176 Croghan Spur Road
Suite 200
Charleston, SC 29407

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

Dear Mr. McCoy,

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.

This letter has two purposes:

- First, to learn whether the U.S. Fish and Wildlife Service 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 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.

Tom McCoy, U.S. Fish and Wildlife Services

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,

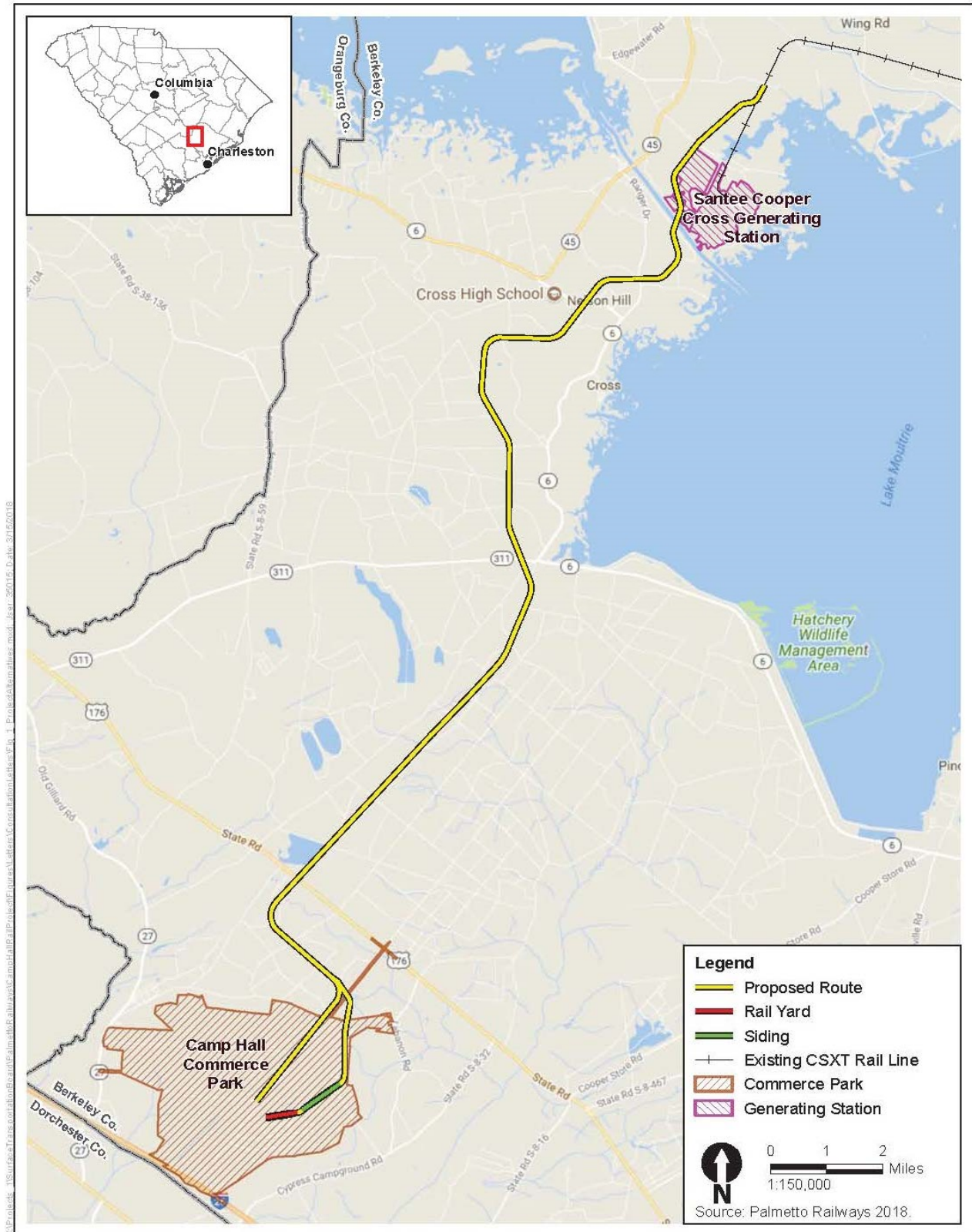
A handwritten signature in black ink, appearing to read "Victoria Rutson". The signature is fluid and cursive, with the first name "Victoria" and last name "Rutson" clearly distinguishable.

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**

U.S. Fish and Wildlife Service

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 U.S. Fish and Wildlife Service 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

Jonathan Leader
USC/SC Institute of Archaeology & Anthropology
1321 Pendleton St
1st Floor, Suite 16
Columbia, SC 29208

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

Dear Mr. Leader,

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.

This letter has two purposes:

- First, to learn whether the USC/SC Institute of Archaeology & Anthropology 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 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.

Jonathan Leader, USC/SC Institute of Archaeology & Anthropology

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 fluid and cursive, with the first name "Victoria" and last name "Rutson" clearly distinguishable.

Victoria Rutson

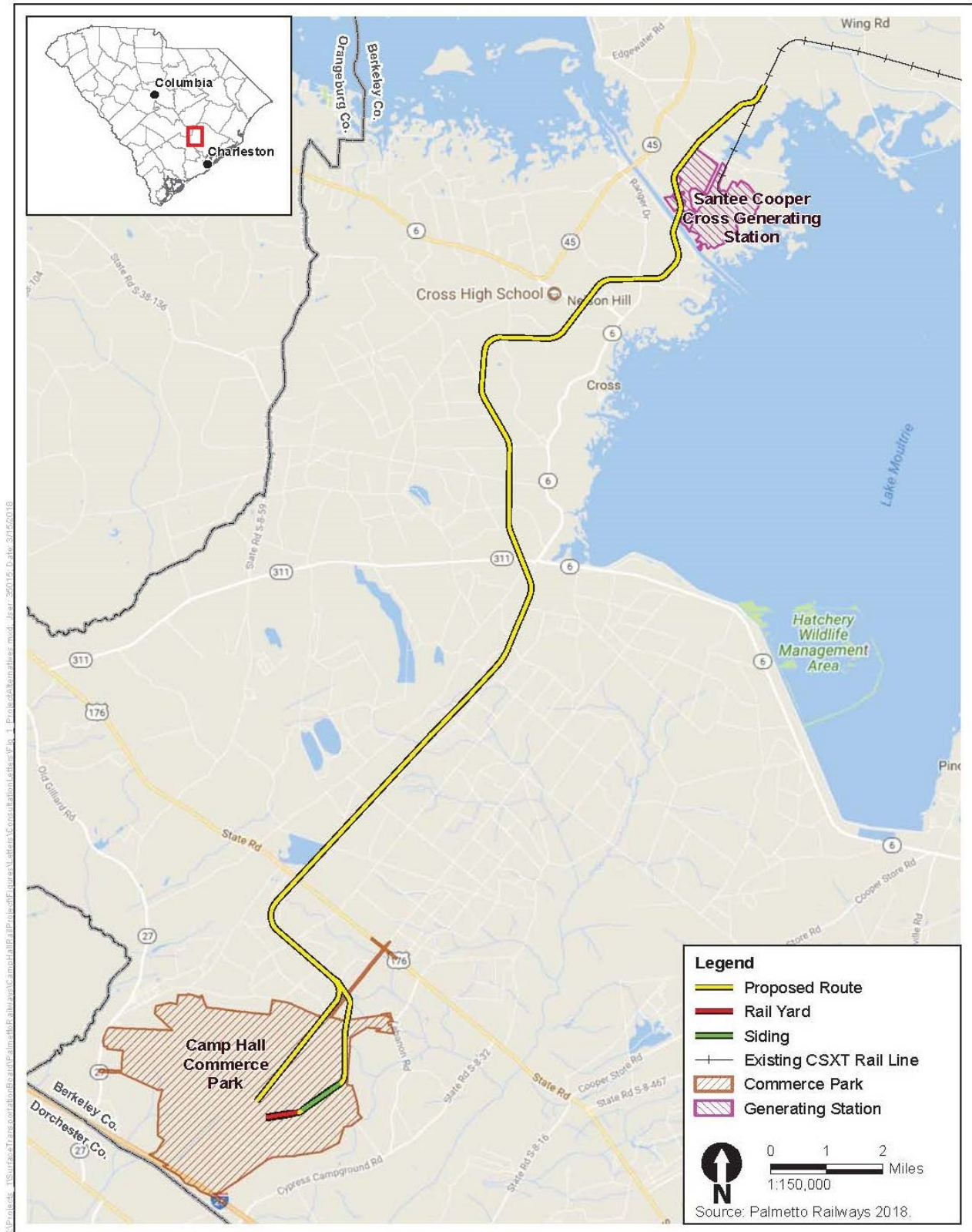
Director

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**

USC/SC Institute of Archaeology & Anthropology

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 USC/SC Institute of Archaeology & Anthropology 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

Bettye Shealy
President
Berkeley County Historical Society
P.O. Box 397
Saint Stephen, SC 29479

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

Dear Ms. Shealy:

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.

This letter has two purposes:

- First, to learn whether Berkeley County Historical Society 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 comments or information 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.

Bettye Shealy, Berkeley County Historical Society

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,

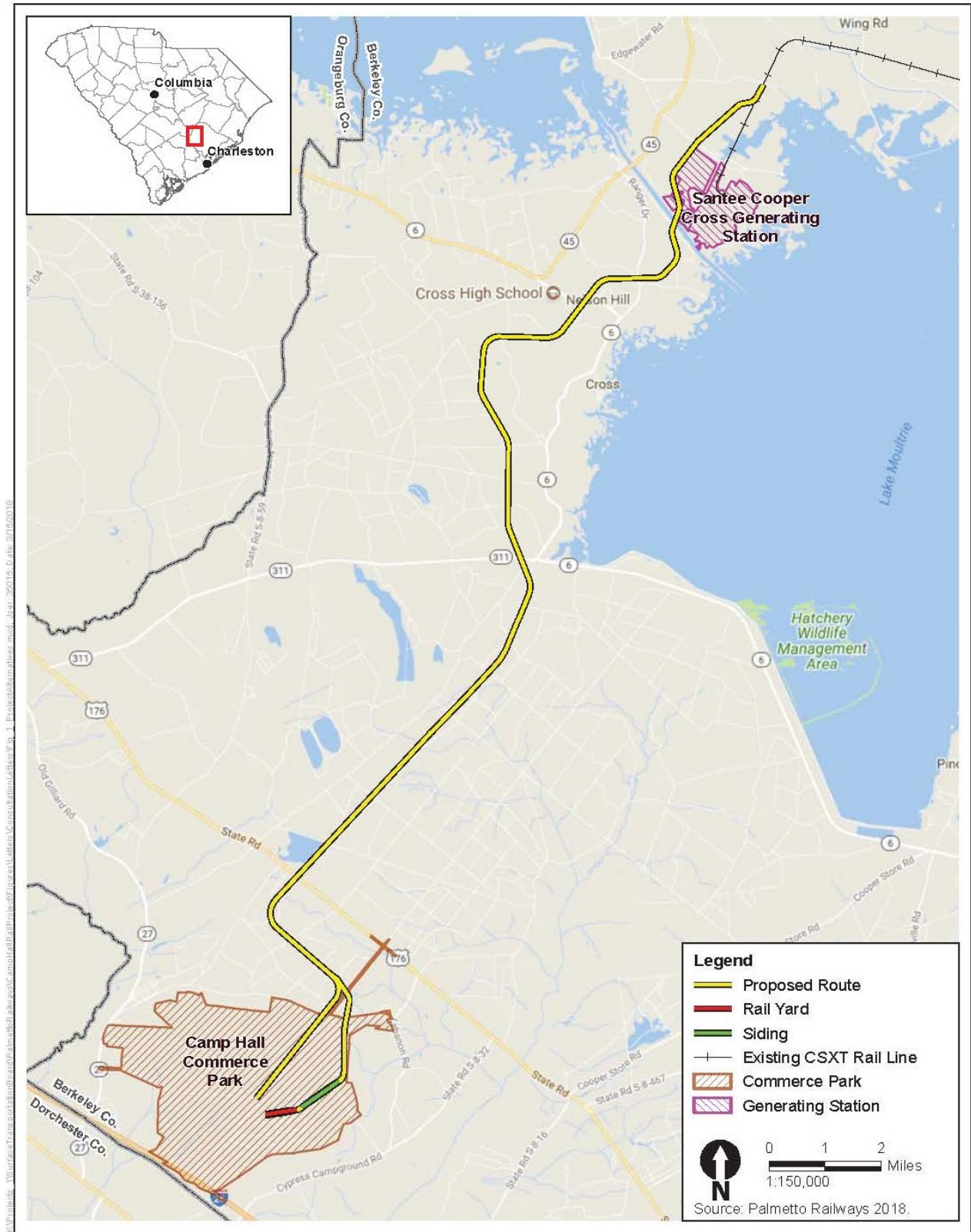
A handwritten signature in black ink, appearing to read "Victoria Rutson". The signature is fluid and cursive, with a large initial "V" and a stylized "R".

Victoria Rutson
Director
Office of Environmental Analysis

Attachments:

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

ATTACHMENT A: MAP OF PROPOSED ROUTE



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

Berkeley County Historical Society

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 Berkeley County Historical Society 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

Keith Gourdin
Berkeley North Historical Society
153 Walnut Way
Pineville, SC 29468

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

Dear Mr. Gourdin:

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.

This letter has two purposes:

- First, to learn whether the Berkeley North Historical Society 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 comments or information 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.

Keith Gourdin, Berkeley North Historical Society

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,

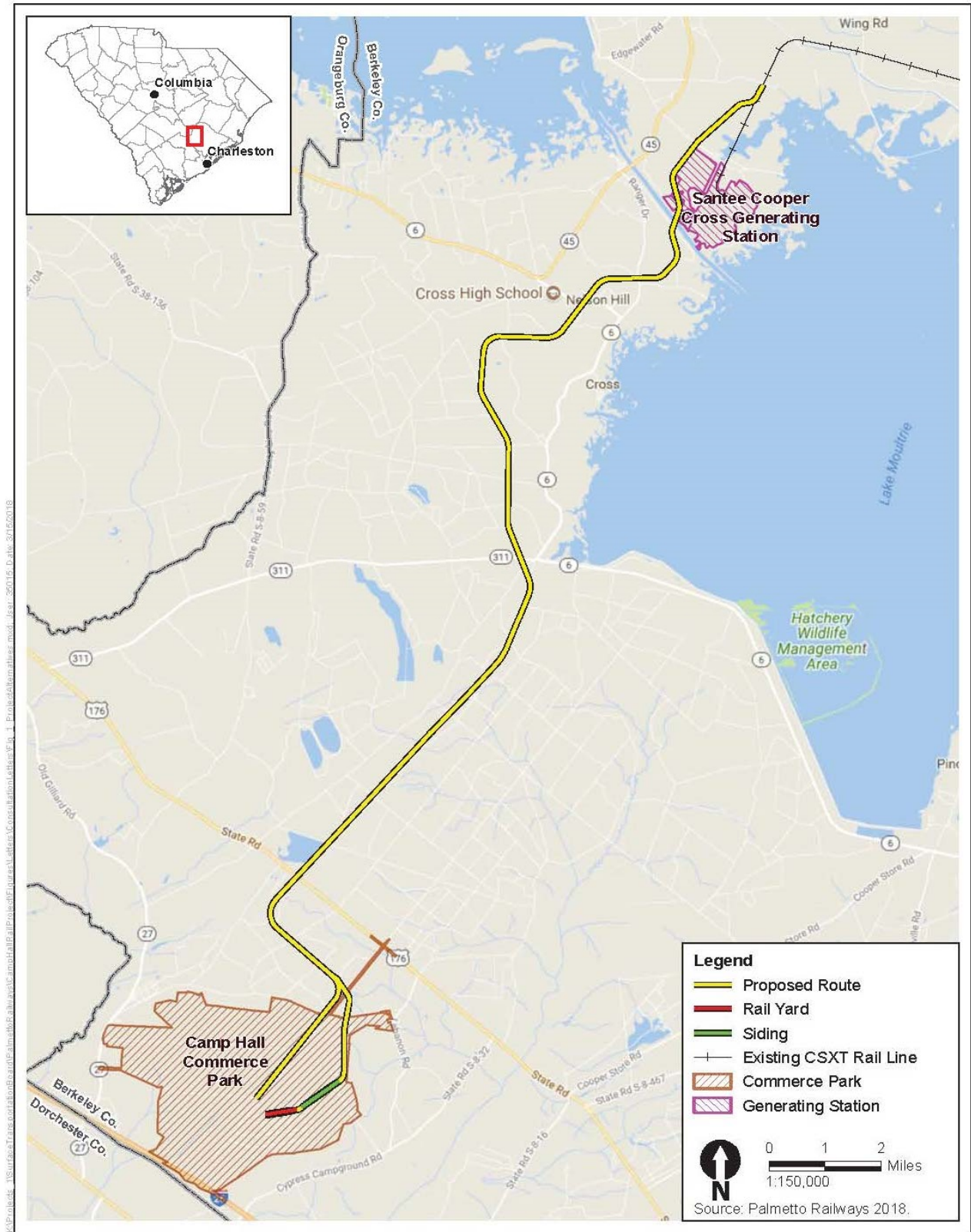
A handwritten signature in black ink, appearing to read "Victoria Rutson". The signature is fluid and cursive, with a large initial "V" and a stylized "R".

Victoria Rutson
Director
Office of Environmental Analysis

Attachments:

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

ATTACHMENT A: MAP OF PROPOSED ROUTE



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

Berkeley North Historical Society

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 designated Berkeley North Historical Society 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

Michael D. Coker
Executive Director
Berkeley County Museum and Heritage Center
950 Stony Landing Road
Moncks Corner, SC 29461

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

Dear Mr. Coker:

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.

This letter has two purposes:

- First, to learn whether Berkeley County Museum and Heritage Center 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 comments or information 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.

Michael D. Coker, Berkeley County Museum and Heritage Center

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,

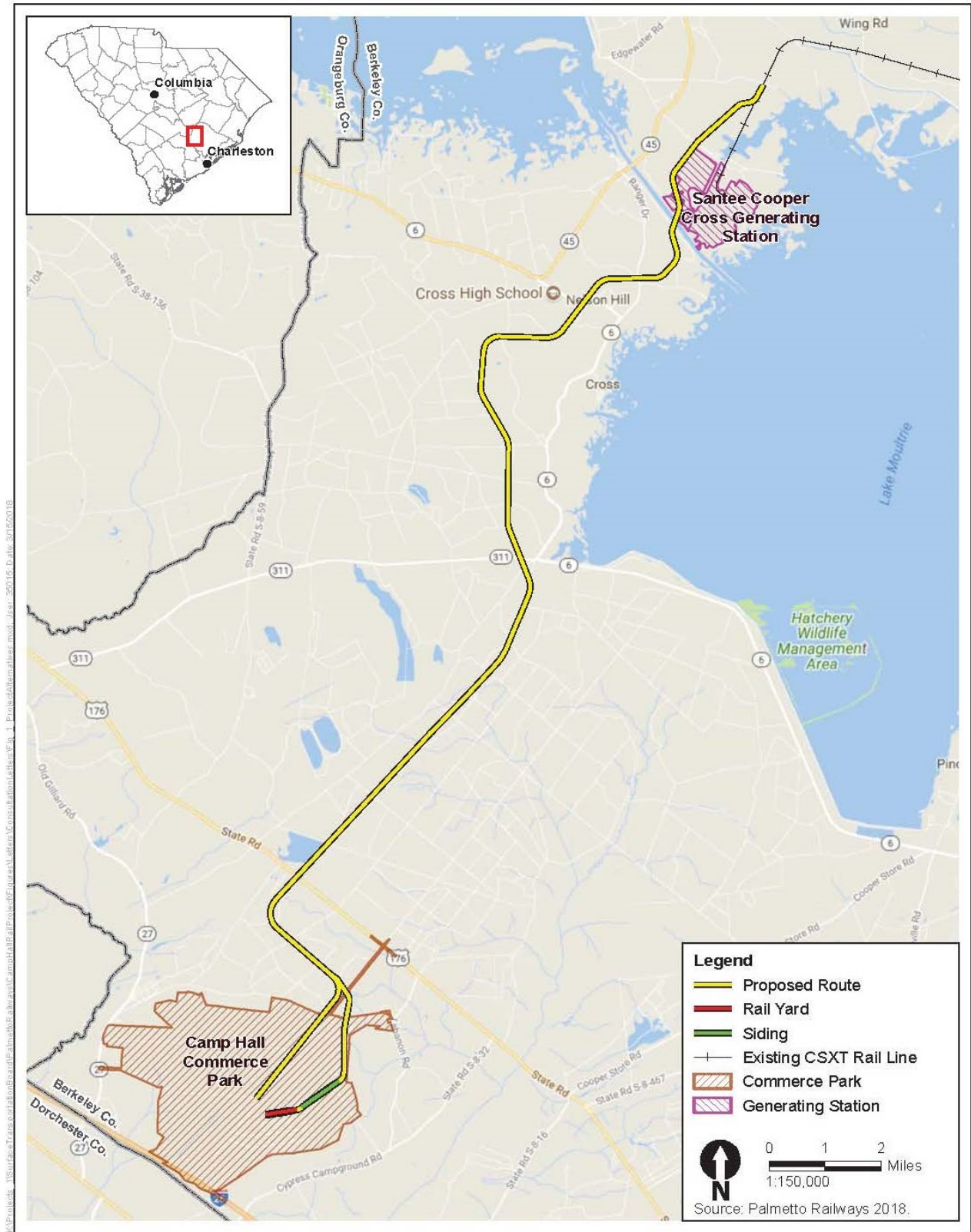
A handwritten signature in black ink, appearing to read "Victoria Rutson". The signature is fluid and cursive, with the first name "Victoria" and last name "Rutson" clearly distinguishable.

Victoria Rutson
Director
Office of Environmental Analysis

Attachments:

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

ATTACHMENT A: MAP OF PROPOSED ROUTE



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

Berkeley County Museum and Heritage Center

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 Berkeley County Museum and Heritage Center 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: _____

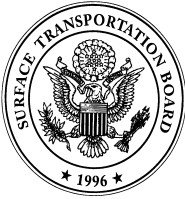
Phone: _____

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

Raleigh West
Executive Director
Lord Berkeley Conservation Trust
223 East Main Street
Suite B
Moncks Corner, SC 29461

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

Dear Raleigh West:

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.

This letter has two purposes:

- First, to learn whether Lord Berkeley Conservation Trust 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 comments or information 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.

Raleigh West, Lord Berkeley Conservation Trust

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,

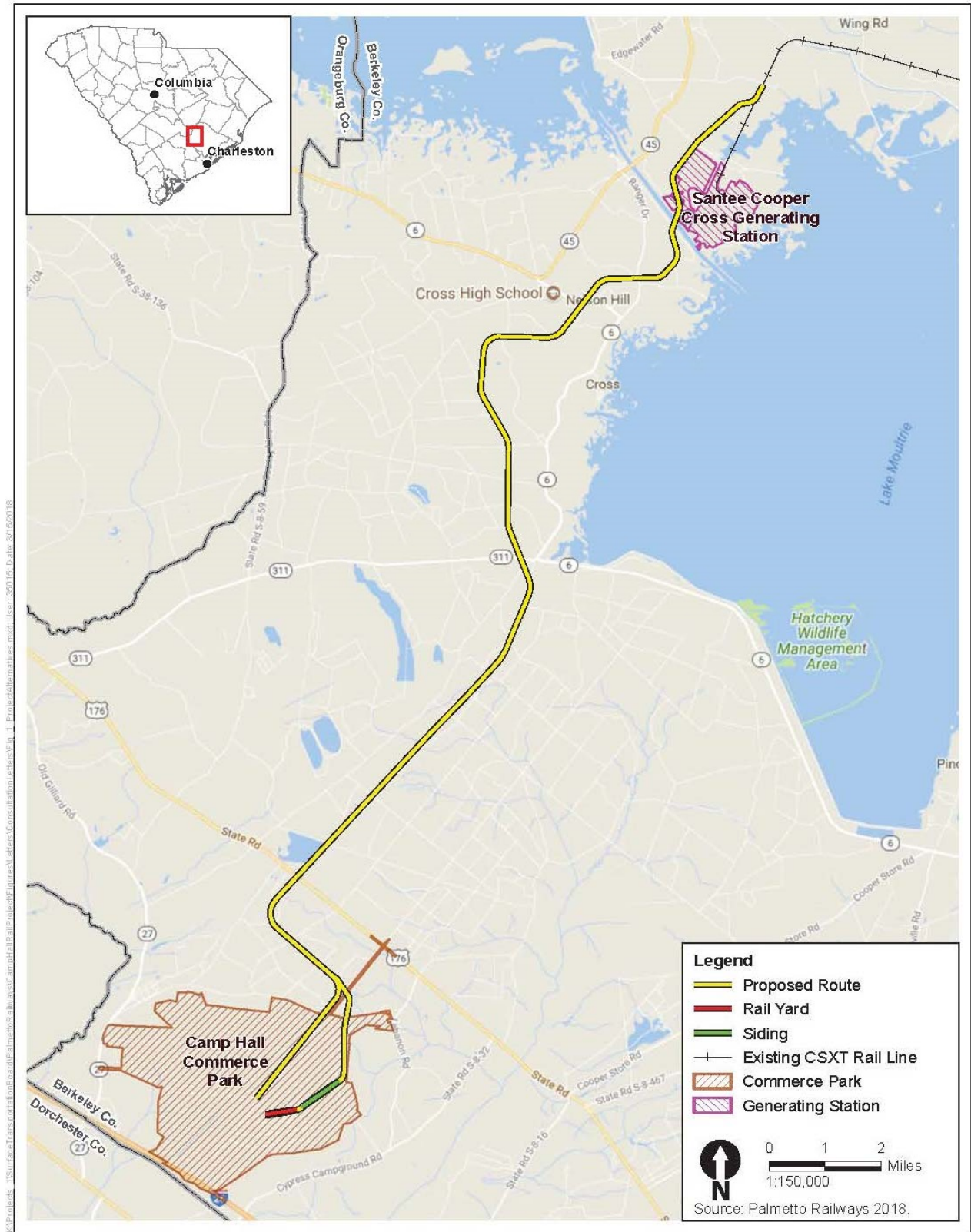
A handwritten signature in black ink, appearing to read "Victoria Rutson". The signature is fluid and cursive, with the first name "Victoria" and last name "Rutson" clearly distinguishable.

Victoria Rutson
Director
Office of Environmental Analysis

Attachments:

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

ATTACHMENT A: MAP OF PROPOSED ROUTE



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

Lord Berkeley Conservation Trust

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 Lord Berkeley Conservation Trust 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

Brad Sale
Old Santee Canal Park
900 Stony Landing Drive
Moncks Corner, SC 29461

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

Dear Mr. Sale:

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.

This letter has two purposes:

- First, to learn whether Old Santee Canal Park 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 comments or information 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.

Brad Sale, Old Santee Canal Park

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,

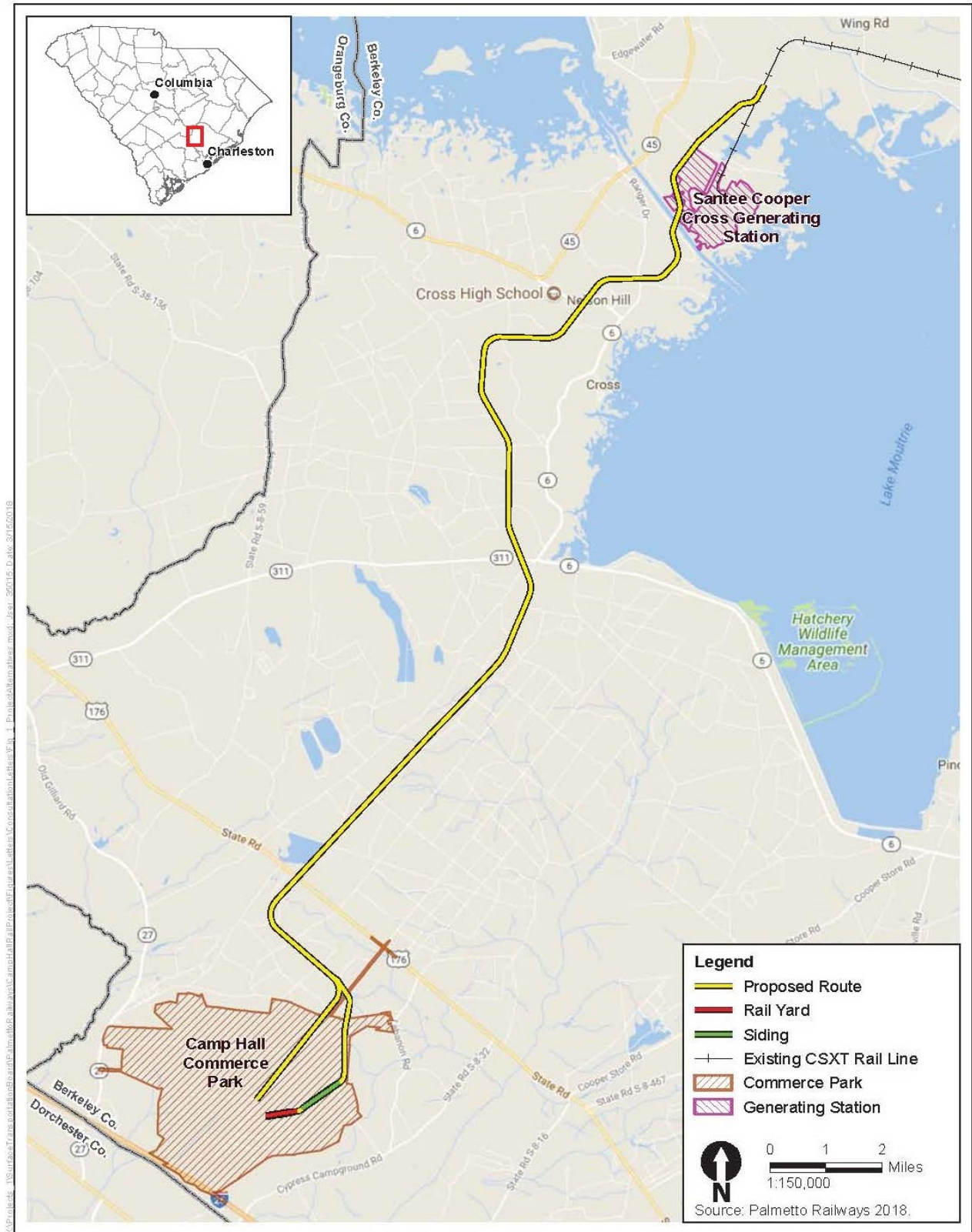
A handwritten signature in black ink, appearing to read "Victoria Rutson". The signature is fluid and cursive, with the first name "Victoria" and last name "Rutson" clearly distinguishable.

Victoria Rutson
Director
Office of Environmental Analysis

Attachments:

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

ATTACHMENT A: MAP OF PROPOSED ROUTE



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

Old Santee Canal Park

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 Old Santee Canal Park 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: _____

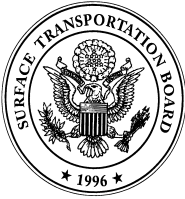
Phone: _____

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

Natalie Cappuccio Britt
Palmetto Conservation
722 King Street
Columbia, SC 29205

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

Dear Ms. Britt:

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.

This letter has two purposes:

- First, to learn whether Palmetto Conservation 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 comments or information 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.

Natalie Cappuccio Britt, Palmetto Conservation

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,

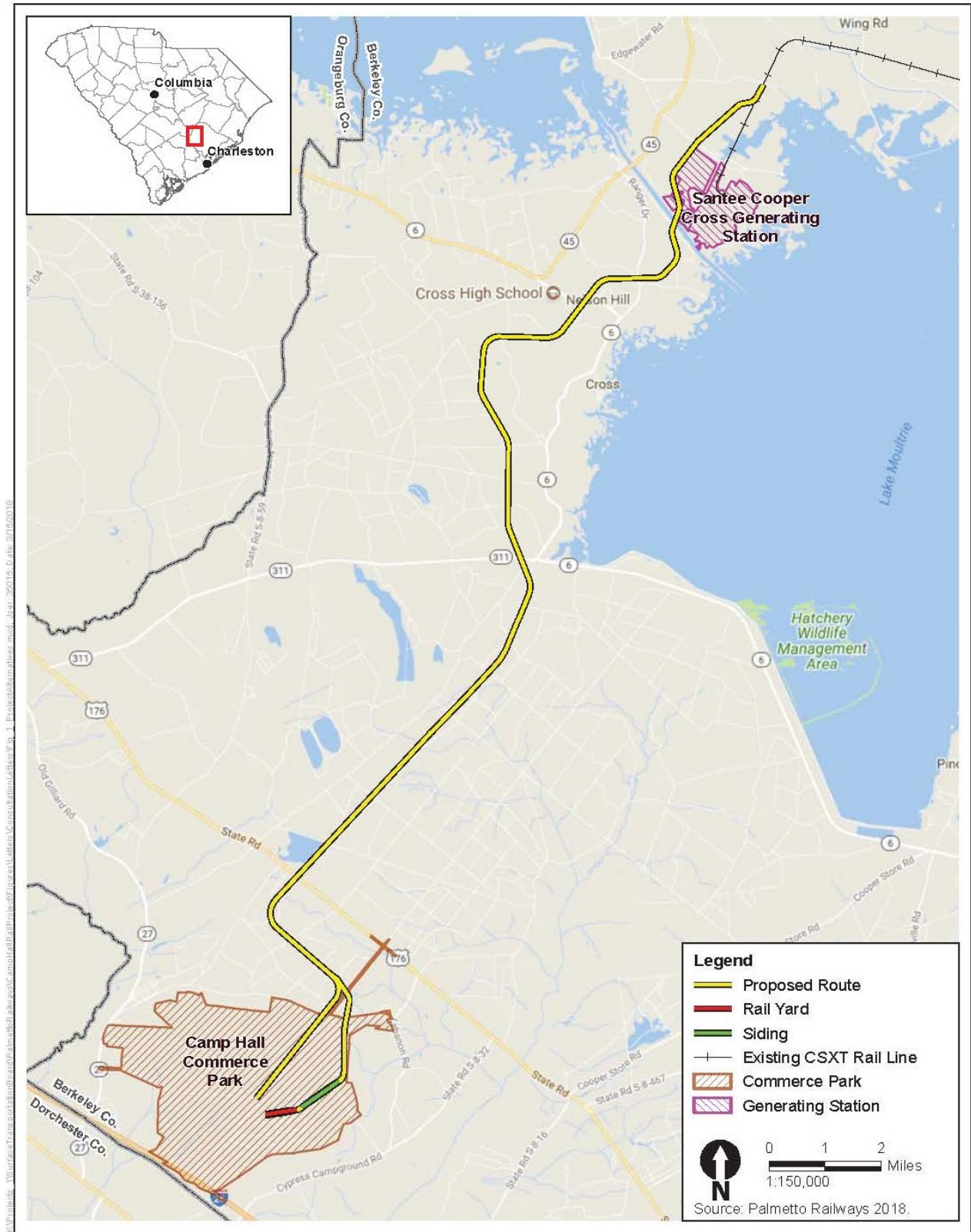
A handwritten signature in black ink, appearing to read "Victoria Rutson". The signature is fluid and cursive, with the first name "Victoria" and last name "Rutson" clearly distinguishable.

Victoria Rutson
Director
Office of Environmental Analysis

Attachments:

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

ATTACHMENT A: MAP OF PROPOSED ROUTE



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

Palmetto Conservation

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 Palmetto Conservation 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: _____

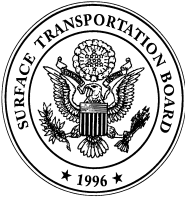
Phone: _____

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

Sam Bennett
Vice President of Administration
Santee Cooper
1 Riverwood Dr
Moncks Corner, SC 29461

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

Dear Sam Bennett:

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.

This letter has two purposes:

- First, to learn whether Santee Cooper 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 comments or information 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.

Sam Bennett, Santee Cooper

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,

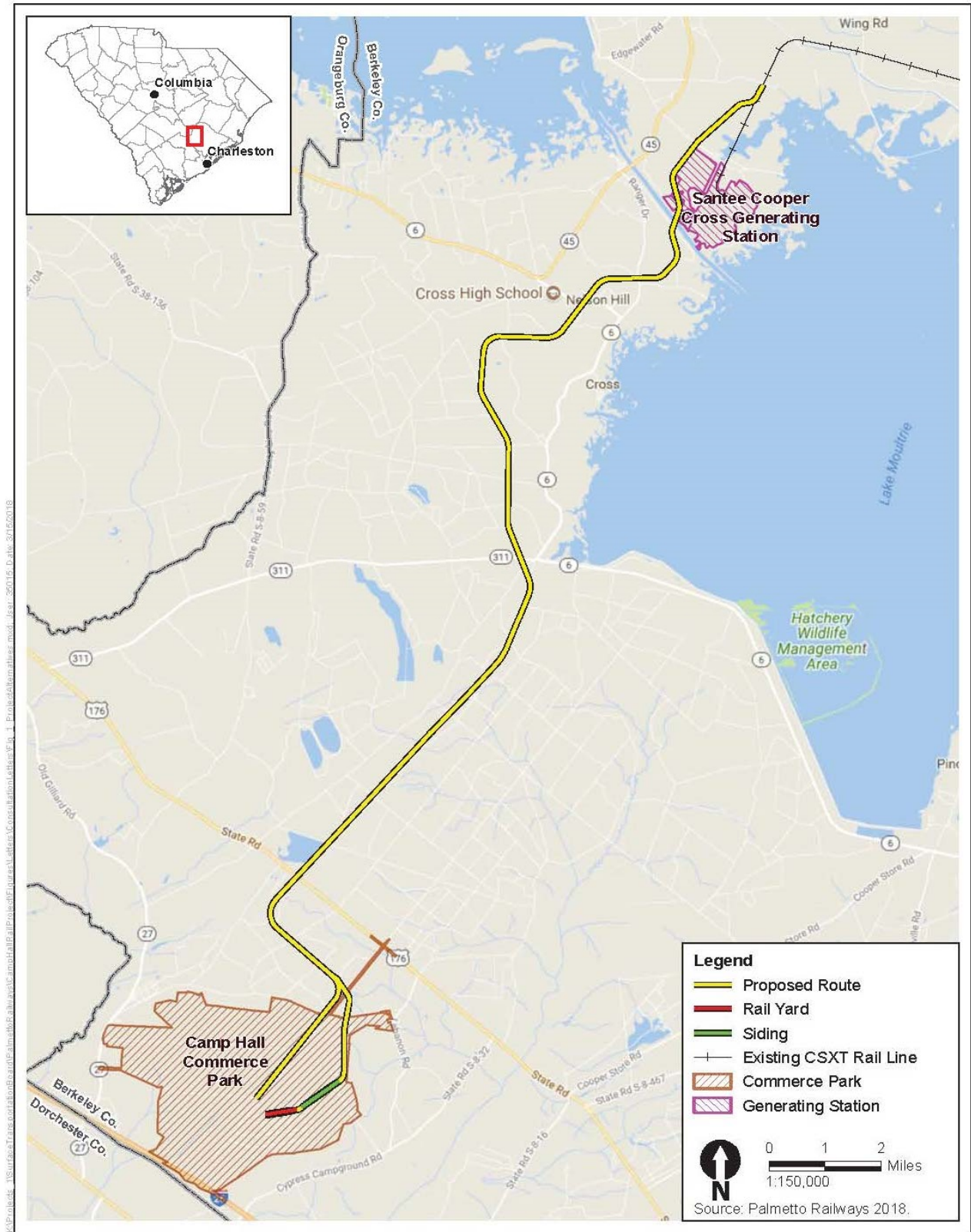
A handwritten signature in black ink, appearing to read "Victoria Rutson". The signature is fluid and cursive, with a large initial "V" and a stylized "R".

Victoria Rutson
Director
Office of Environmental Analysis

Attachments:

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

ATTACHMENT A: MAP OF PROPOSED ROUTE



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

Santee Cooper

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 Santee Cooper 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: _____



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,

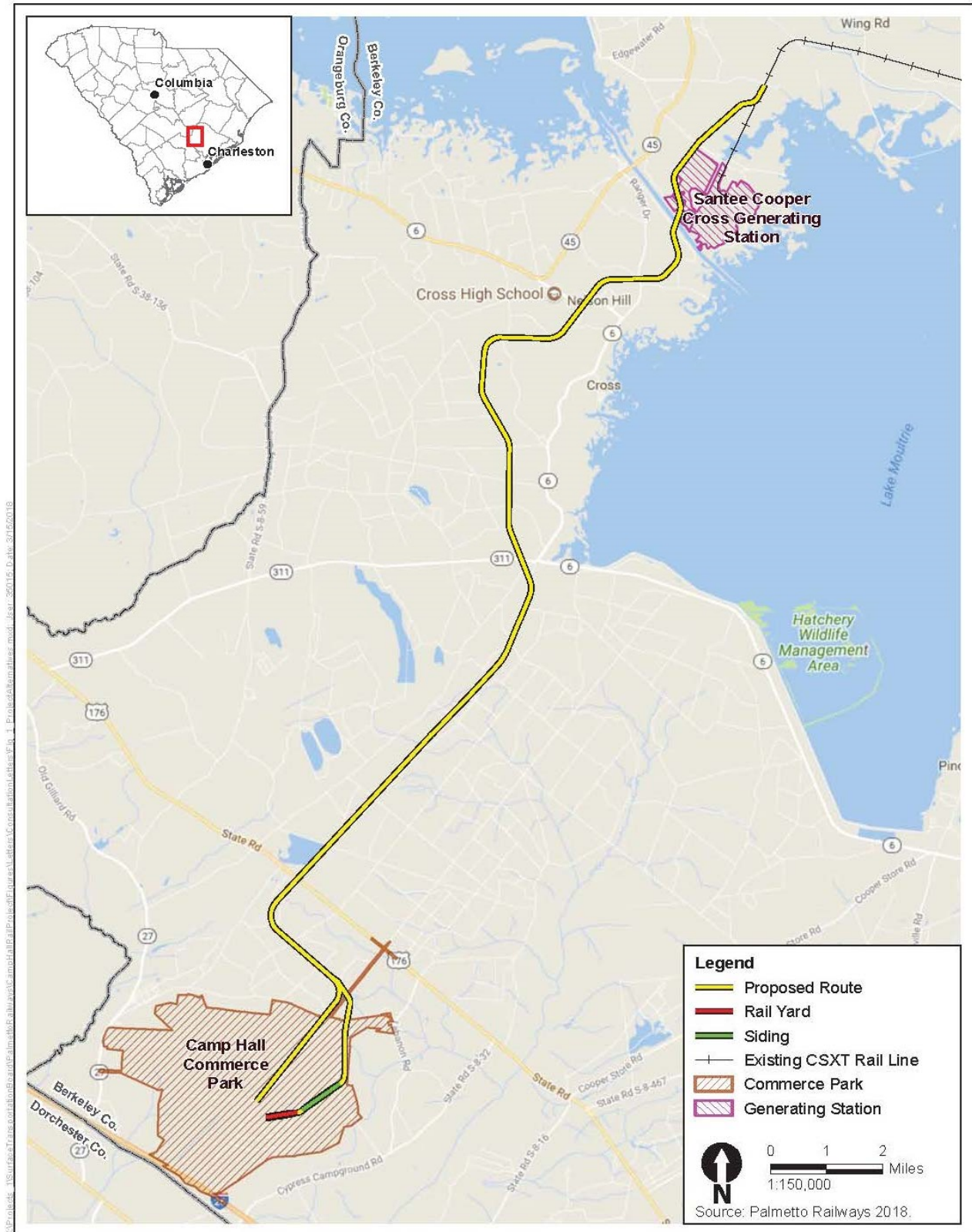
A handwritten signature in black ink, appearing to read "Victoria Rutson". The signature is fluid and cursive, with the first name "Victoria" and last name "Rutson" clearly distinguishable.

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, appearing to read "Victoria Rutson". The signature is fluid and cursive, with the first name "Victoria" and last name "Rutson" clearly distinguishable.

Victoria Rutson
Director
Office of Environmental Analysis

Attachments:

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

The map displays the proposed Palmetto Railways route, highlighted in yellow, connecting Camp Hall Commerce Park in Berkeley County to the Santee Cooper Cross Generating Station in Dorchester County. The route passes through Cross High School and Lake Moultrie. Key features include the Hatchery Wildlife Management Area, various state roads (e.g., State Rd 311, State Rd 176, State Rd 58-59, State Rd 58-16, State Rd 58-457), and the existing CSXT rail line. The map also shows the locations of Columbia and Charleston in South Carolina. A legend in the bottom right corner defines the symbols used: Proposed Route (yellow line), Rail Yard (red line), Siding (green line), Existing CSXT Rail Line (black line with cross-ticks), Commerce Park (orange hatched area), and Generating Station (purple hatched area). A scale bar indicates 0 to 2 miles, and the source is cited as Palmetto Railways 2018.

**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,

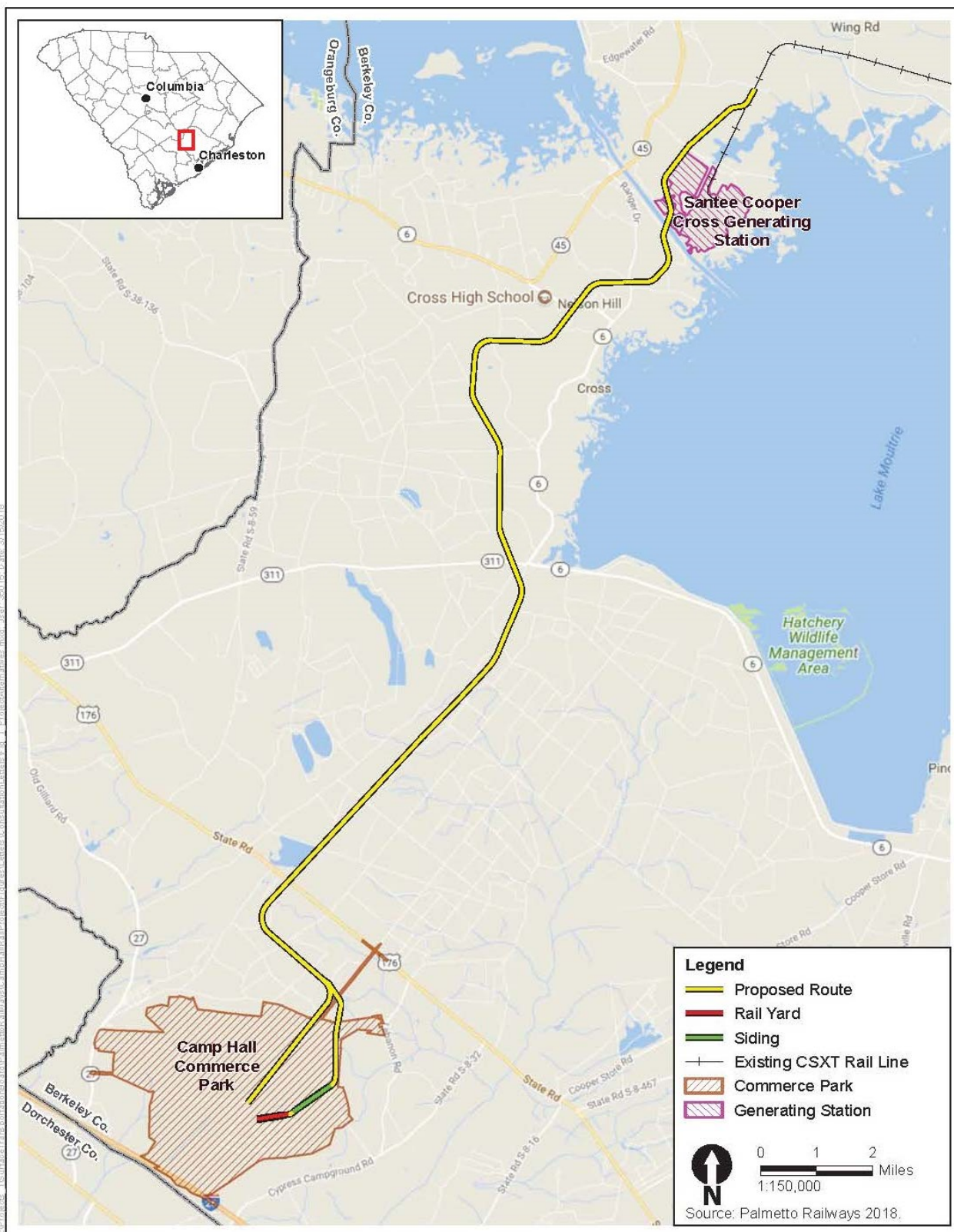
A handwritten signature in black ink, appearing to read "Victoria Rutson". The signature is fluid and cursive, with the first name "Victoria" and last name "Rutson" clearly distinguishable.

Victoria Rutson
Director
Office of Environmental Analysis

Attachments:

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

\\Projects\1\SurfaceTransportation\Board\Palmetto\B\Aliases\Camp\Hall\Ball\Projected\Figures\Letters\Consultation\Letters\Fig_1_ProjectAlternatives.mxd User: 35015 Date: 3/7/2018



**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,

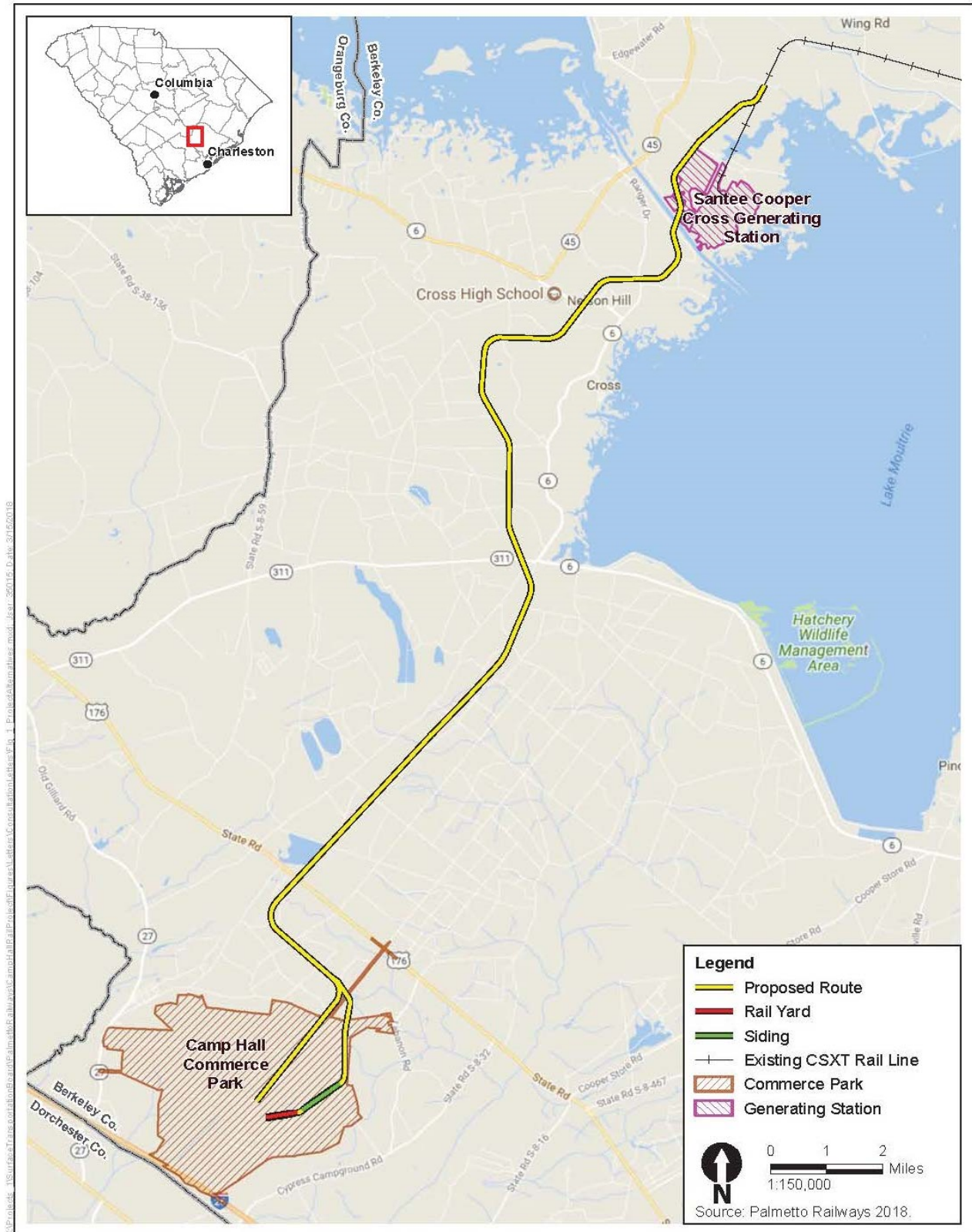
A handwritten signature in black ink, appearing to read "Victoria Rutson". The signature is fluid and cursive, with the first name "Victoria" and last name "Rutson" clearly distinguishable.

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**

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,

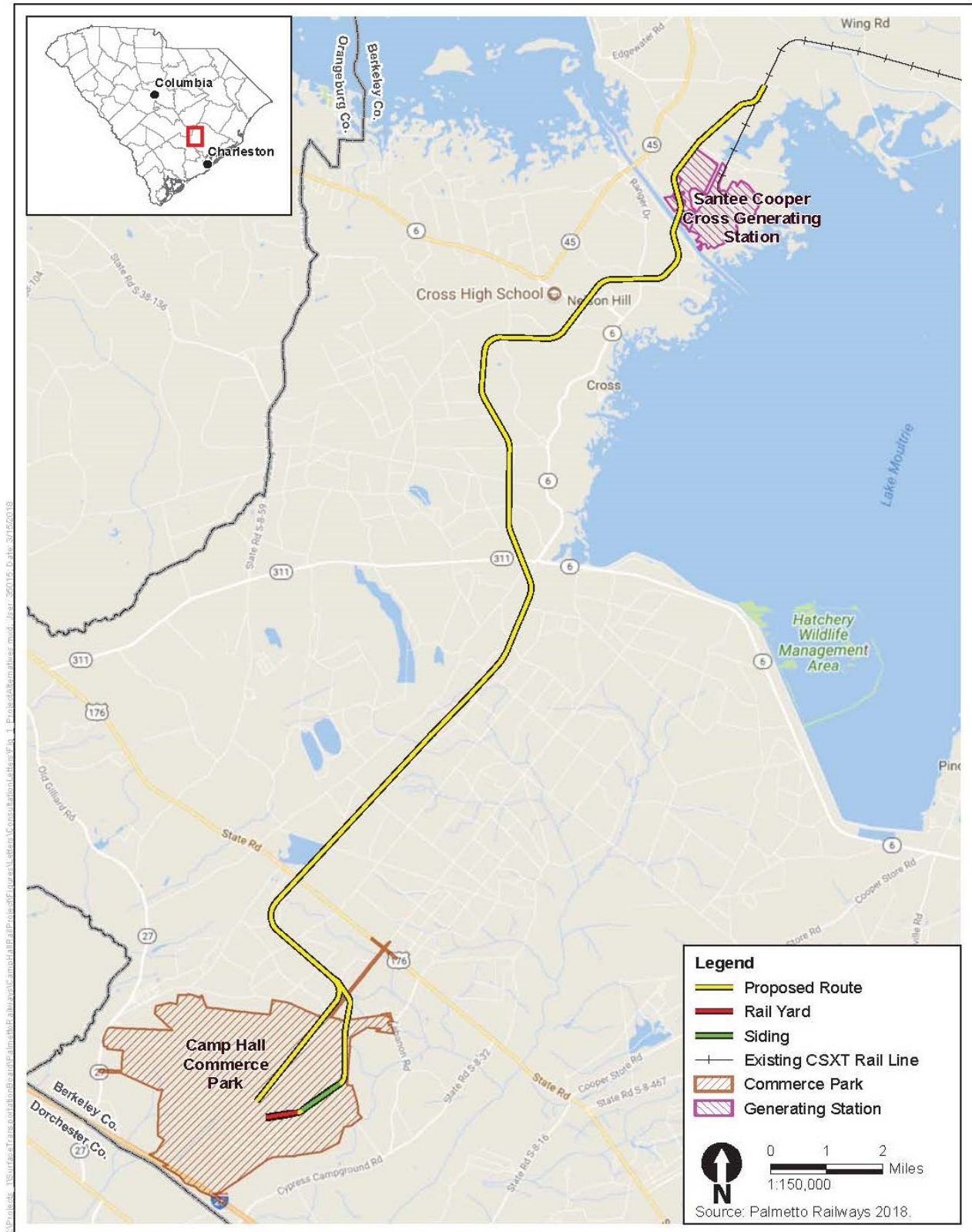
A handwritten signature in black ink, appearing to read "Victoria Rutson". The signature is fluid and cursive, with the first name "Victoria" and last name "Rutson" clearly distinguishable.

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,

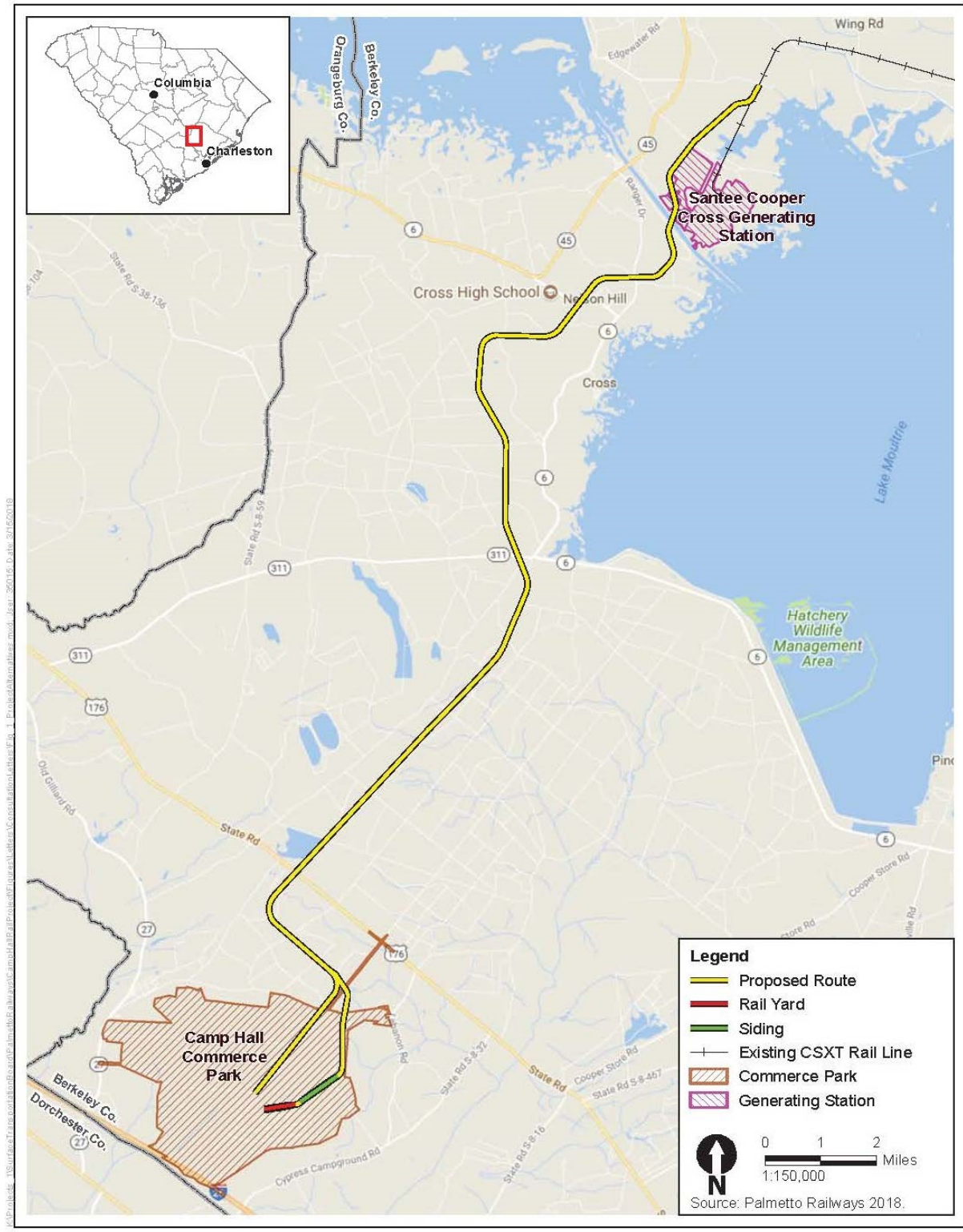
A handwritten signature in black ink, appearing to read "Victoria Rutson". The signature is fluid and cursive, with the first name "Victoria" and last name "Rutson" clearly distinguishable.

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



Rogers, Debra

From: Wood, Diana <Diana.Wood@stb.gov>
Sent: Wednesday, August 29, 2018 9:42 AM
To: Rogers, Debra; Bauer, David
Subject: FW: Camp Hall Rail (SAC-2016-01395), Berkeley County

From: Winkle, John (FRA) <john.winkle@dot.gov>
Sent: Monday, August 27, 2018 8:40 AM
To: Lewis, Keely <KLewis@scdah.sc.gov>; Hughes, Travis G CIV USARMY CESAC (US) <Travis.G.Hughes@usace.army.mil>
Cc: Williams, Elizabeth G CIV USARMY CESAC (US) <Elizabeth.G.Williams@usace.army.mil>; Zulauf, Michelle R CIV USARMY CESAC (US) <Michelle.R.Zulauf@usace.army.mil>; Wood, Diana <Diana.Wood@stb.gov>; Richard Kanaski <richard_kanaski@fws.gov>; travenel@palmettorail.com
Subject: RE: Camp Hall Rail (SAC-2016-01395), Berkeley County

Ms. Lewis –

Please note that, given the South Carolina State Historic Preservation Office's determination that the Camp Hall Rail Project would result in No Adverse Effects to cultural and historic resources (the Diversion Canal, Bulltown Ditch and Garrett Cemetery), the Federal Railroad Administration intends to make a de minimis use finding under Section 4(f) of the U.S. Department of Transportation Act with regard to these resources.

If you have any questions or would prefer that FRA notify your office of our 4(f) determination by correspondence, please let me know.

Thank you,
John Winkle
Transportation Industry Analyst
The Federal Railroad Administration
202-493-6067

From: Lewis, Keely <KLewis@scdah.sc.gov>
Sent: Friday, August 24, 2018 4:25 PM
To: Hughes, Travis G CIV USARMY CESAC (US) <Travis.G.Hughes@usace.army.mil>
Cc: Williams, Elizabeth G CIV USARMY CESAC (US) <Elizabeth.G.Williams@usace.army.mil>; Zulauf, Michelle R CIV USARMY CESAC (US) <Michelle.R.Zulauf@usace.army.mil>; Wood, Diana <Diana.Wood@stb.gov>; Winkle, John (FRA) <john.winkle@dot.gov>; Richard Kanaski <richard_kanaski@fws.gov>; travenel@palmettorail.com
Subject: Camp Hall Rail (SAC-2016-01395), Berkeley County

From: South Carolina State Historic Preservation Office

Please find attached our comments letter on the subject referenced project. A hard copy can be provided upon request.

Please contact us if you have any questions regarding our comments.



Keely Lewis
Archaeologist
State Historic Preservation Office
SC Department of Archives & History
8301 Parklane Road
Columbia, SC 29223
Ph: 803.896.6181 Fax: 803.896.6167 <https://scdah.sc.gov/historic-preservation>
klewis@scdah.sc.gov



U.S. Department
of Transportation
**Federal Railroad
Administration**

1200 New Jersey Ave, SE
Washington, DC 20590

Travis G. Hughes, Chief
Regulatory Division
U.S. Army Corps of Engineers
Charleston District
68 Hagood Avenue
Charleston, SC 29403

**Re: STB Docket No. FD 36095, Palmetto Railways Camp Hall
Rail Extension Project**

Dear Chief Hughes:

On July 12, 2018, the Federal Railroad Administration (FRA) sent a letter to the Surface Transportation Board (STB) accepting STB's invitation to be a cooperating agency in the preparation of an Environmental Assessment (EA) analyzing the impacts of the Palmetto Railways Camp Hall Rail Extension Project (Project). STB and the U.S. Army Corps of Engineers (USACE) are co-lead agencies for the EA. Should Palmetto Railways pursue federal funding for the Project through FRA, FRA would have to issue our own National Environmental Policy Act decision document. By participating in the development of the EA as a cooperating agency, FRA can ensure that the EA conforms to FRA's Procedures for Considering Environmental Impacts (64 Fed. Reg. 28545).

FRA understands that the STB has designated USACE to be the lead federal agency responsible for fulfilling the agencies' collective responsibilities under Section 106 of the National Historic Preservation Act (Section 106). In order to make the Section 106 review of the Project as effective and efficient as possible, FRA is also designating USACE as the lead federal agency for Section 106 responsibilities.

Mr. John Winkle, Transportation Industry Analyst in the Office of Railroad Policy and Development, will be the primary point of contact for the EIS and will work with the STB and USACE. Mr. Winkle can be reached at (202) 493-6067 or John.Winkle@DOT.Gov.

We look forward to working with the STB and USACE on this EA.

Sincerely,

 7/12/2018

Michael Johnsen
NEPA Team Lead
Environment and Corridor
Planning Division

CC: Diana Wood, STB



U.S. Department
of Transportation
**Federal Railroad
Administration**

1200 New Jersey Ave, SE
Washington, DC 20590

Victoria Rutson
Director, Office of
Environmental Analysis
The Surface Transportation Board
Office of Environmental Analysis
395 E Street SW
Washington, DC 20423

**Re: STB Docket No. FD 36095, Palmetto Railways Camp Hall
Rail Extension**

Dear Ms. Rutson:

I am writing in response to your letter of April 25, 2018 to Marlys Osterhues. I apologize for the delay in responding. Thank you for inviting the Federal Railroad Administration (FRA) to act as a cooperating agency with the Surface Transportation Board (STB) and the U.S. Army Corps of Engineers (USACE) in the development of the Environmental Assessment (EA) for the Palmetto Railways Camp Hall Rail Extension (Project) in Berkeley County, SC.

FRA accepts STB's invitation to be a cooperating agency on this EA. Based on the information included with your letter, FRA understands that the Project will construct a new rail line allowing Palmetto Railways to provide rail access to the Camp Hall Commerce Park. In addition, FRA recognizes that Palmetto Railways has not yet secured funding for the Project. In order for any funding for the Project to come through FRA, the EA must comply with FRA's Procedures for Considering Environmental Impacts (64 Fed. Reg. 28545), including Section 4(f) of the U.S. Department of Transportation Act. Acting as a cooperating agency in the preparation of the EA will ensure that the EA conforms to FRA's Procedures.

In accordance with 40 CFR 1501.6, as a cooperating agency, FRA anticipates being afforded the opportunity to participate in NEPA coordination meetings, raise concerns about technical studies, provide information on alternatives/mitigation, and review/provide comments on pre-draft/pre-final documents in relation to environmental issues of concern. FRA also intends to designate USACE as the lead agency for consultations under Section 106 of the National Historic Preservation Act.

Mr. John Winkle, Transportation Industry Analyst in the Office of Railroad Policy and Development, will be the primary point of contact for the EIS and will work with the STB and USACE. Mr. Winkle can be reached at (202) 493-6067 or John.Winkle@DOT.Gov.

We look forward to working with the STB and USACE on this EA.

Sincerely,

 7/12/2018

Michael Johnsen
NEPA Team Lead
Environment and Corridor
Planning Division

Cc: Elizabeth Williams, USACE

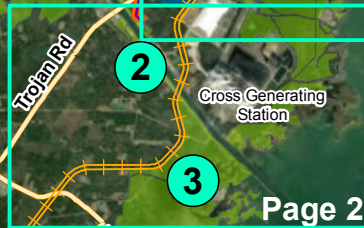
Palmetto Railways Construction Exemption Section 4(f) Properties

Legend

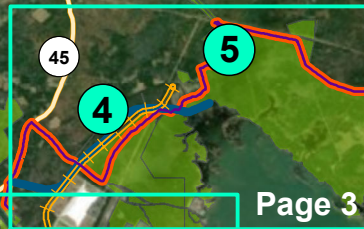
- 1 Garrett Cemetery
- 2 Diversion Canal
- 3 Moultrie Hunt Unit
- 4 Bulltown Ditch
- 5 Palmetto Trail
- ++++ Camp Hall Rail Line



Page 1



Page 2



Page 3

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Index Map

Berkeley County, South Carolina



MONCK'S CORNER

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ALT
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311

CROSS

Ranger Dr

Trojan Rd

Cross Generating Station

LAKE MOULTRIE

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CROSS

Ranger Dr

Trojan Rd

Cross Generating Station

LAKE MOULTRIE

LAKE MARION

ST STEPHEN

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Main St

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311

Palmetto Railways Construction Exemption Section 4(f) Properties

Garrett Cemetery

Mudville Rd

Calamus Pond Rd

Legend

 Garrett Cemetery

 Camp Hall Rail Line



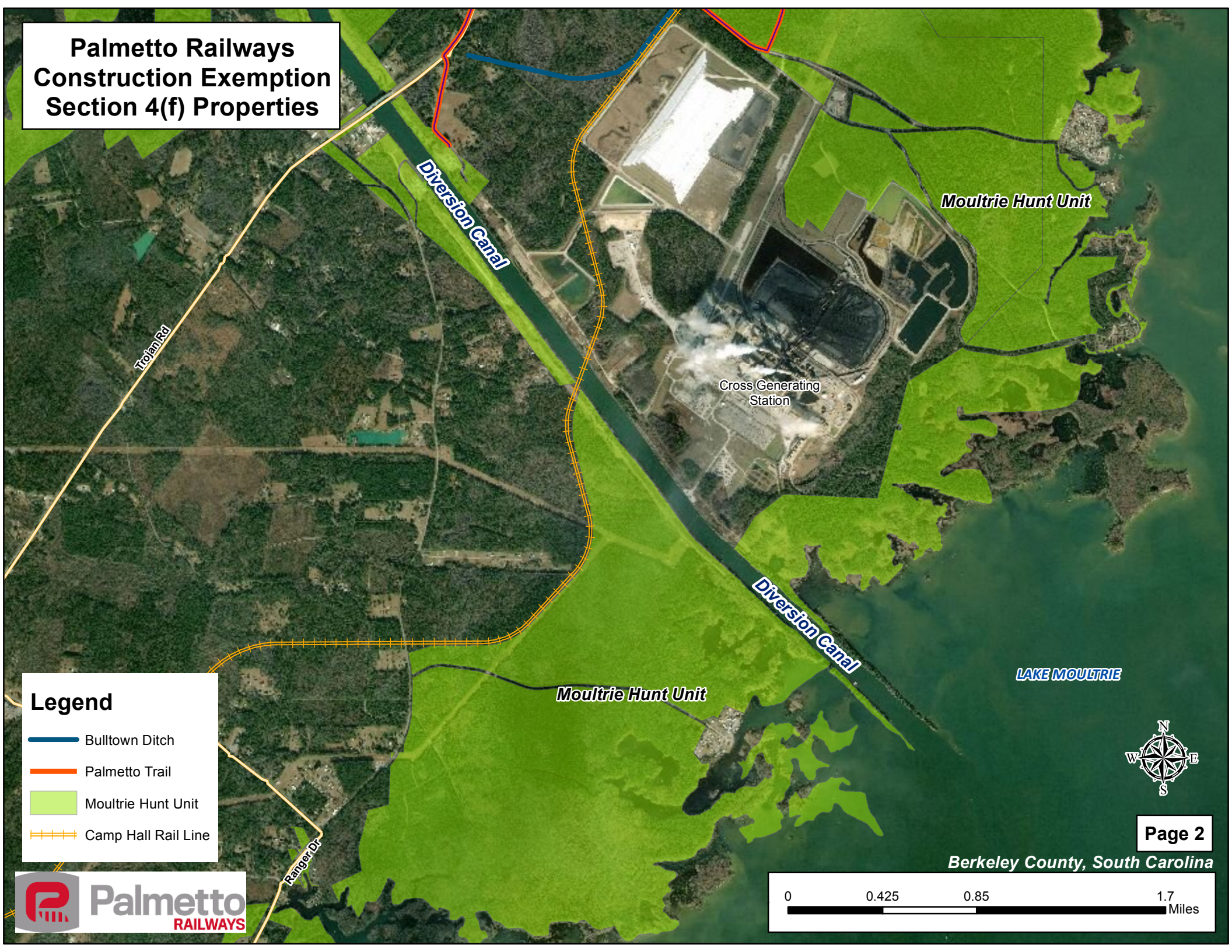
Page 1

Berkeley County, South Carolina

0 0.15 0.3 0.6
Miles



Palmetto Railways Construction Exemption Section 4(f) Properties



Trojan Rd

Diversion Canal

Moultrie Hunt Unit

Cross Generating Station

Diversion Canal

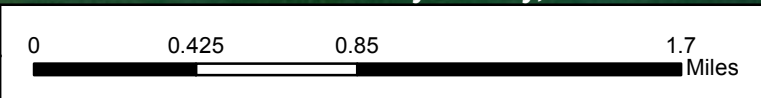
LAKE MOULTRIE

Moultrie Hunt Unit

Ranger Dr

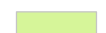
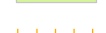
Legend

- Bulltown Ditch
- Palmetto Trail
- Moultrie Hunt Unit
- Camp Hall Rail Line



Palmetto Railways Construction Exemption Section 4(f) Properties

Legend

-  Bulltown Ditch
-  Palmetto Trail
-  Moultrie Hunt Unit
-  Camp Hall Rail Line



Springwood Rd

45

Trojan Rd

Diversion Canal

Cross Generating Station

Halls Rd

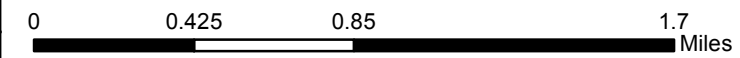
Viper Rd

LAKE MOULTRIE

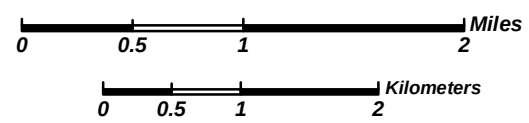
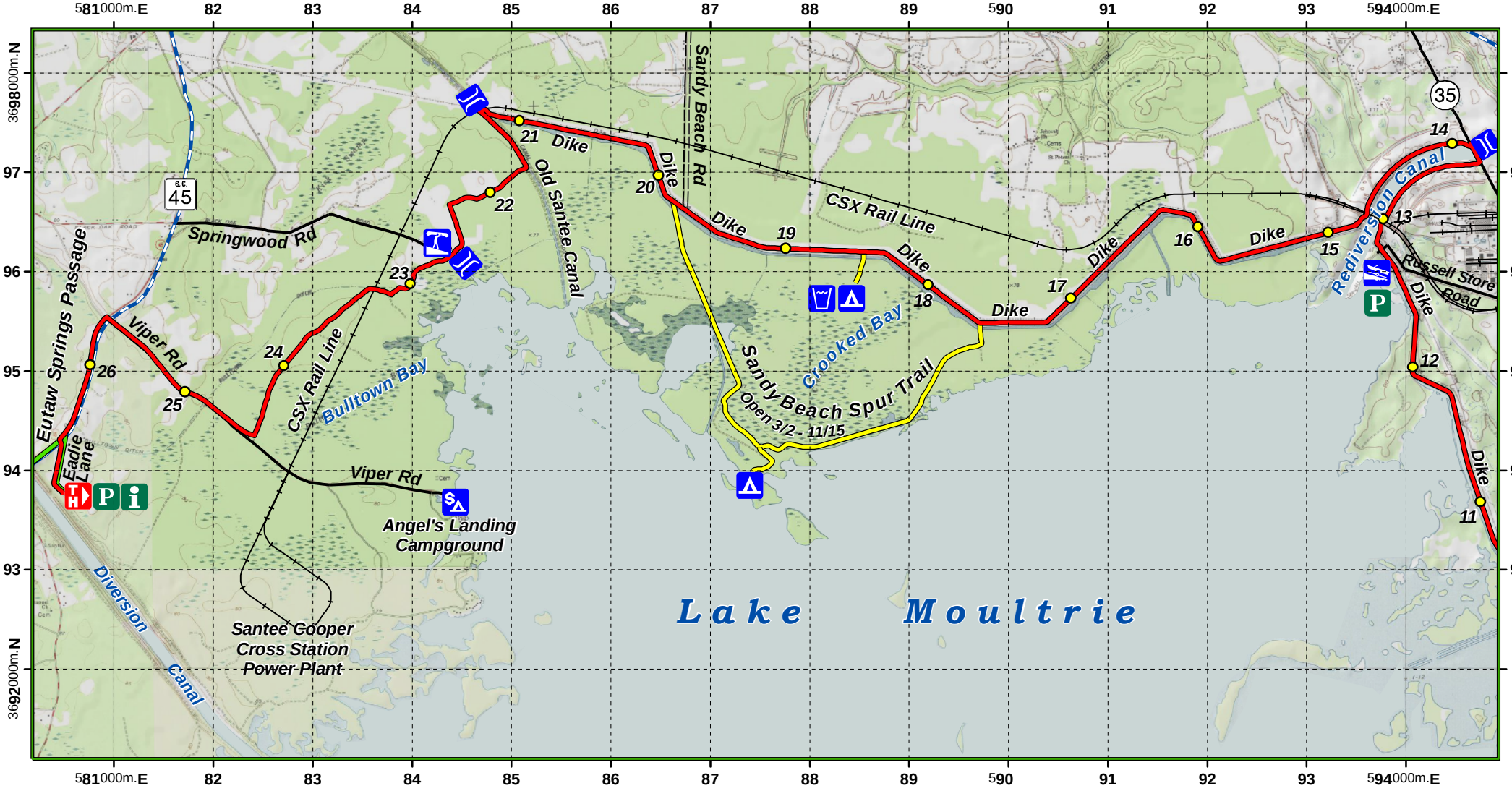


Page 3

Berkeley County, South Carolina



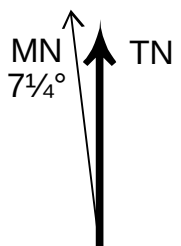
Lake Moultrie Passage of the Palmetto Trail - Section 2



NAD1927 UTM Zone 17S

Map Scale 1:55,000

© Palmetto Conservation Foundation - June 2014



Lake Moultrie Passage - Section 2 - Trail Mile 11 to Diversion Canal Trailhead

Lake Moultrie Passage	Unpaved Road	Primitive Camping
Eutaw Springs Passage	CSX Rail Line	Fee Camping
Spur Trail	Parking	Boat Ramp
Mile Marker	Bridge	Supplies
SC Highway	Water	Canoe Launch
State Secondary Rd		Kiosk

The LAKE MOULTRIE PASSAGE of the PALMETTO TRAIL

Length: 26.9 Miles

Use: Hiking, Mountain Biking

Difficulty: Easy

Restrictions:

No motor vehicles, no Equestrians

Do not Cross the

Rediversion Canal Railroad Trestle!

Trail Marking: Yellow blazes, Trail Signs

Driving directions:

Southern Trailhead (Swamp Fox):

From Moncks Corner. Take US 52N out of Moncks Corner, cross the Cooper River/Tailrace Canal. From the split with US17A take US52N 3.6 miles to trailhead on right. You will see signage for *National Forrest PARKING AREA Swamp Fox Trail*

From St.Stephen@SC45. Take US 52S 9.2 miles to parking area on left.

The Rediversion Canal Entrance:

From Southern Trailhead(Swamp Fox), Take a right on US52N for approximately 5 miles. At Russellville sign, turn left (west) onto Mandella Road/S-41. Drive 0.75 mile and turn right (north) onto Dennis Ridge Rd/S-35. After 2.9 miles, turn left onto Russell Store Rd/S-204 for 1.3 miles, park at the Russellville Boat Landing.

From St.Stephen@SC45. Take US52S for 1.4 miles. Turn right on Old Mill Rd for 1.2 miles. Continue on Russellville Rd for 1.3 miles. Turn right on S-35 the left onto Russell Store Rd for 1.3 miles; it ends at the boat landing parking.

The Sandy Beach Wildlife Management Area Entrance:

From Russellville Boat Landing, Take Russell Store Rd 1.3 miles. Turn left on S-35 for 2.3 miles. Turn left on SC45W for 4.7 miles.

Turn left on Sandy Beach Rd. and drive 2.3 miles to the dike and the edge of the WMA. **From Eadie Lane Trailhead,** Turn left on Eadie Ln for 0.4 mile. Turn right onto SC45E for 6.5 miles. Turn right onto Sandy Beach Rd and drive 2.3 miles to dike.

Sandy Beach is open from March 2nd to November 15th.

Northern Trailhead & start of Eutaw Springs Passage (Diversion Canal Entrance):

From St.Stephen@US52, travel west on SC45 for 15.25 miles toward the Diversion Canal bridge. Just before the bridge, turn left onto Eadie Lane. See *Eadie Lane Parking Area below.*

From Charleston on I-26, take exit 187; turn east on Old Gilliard Rd/S-27 for 4.0 miles. Turn right on Mudville Rd for 9.6 miles. Continue on SC6W/Ranger Dr for 5.2 miles. Continue on Ranger Dr for 2.9 miles. Turn right onto SC45E cross the Diversion Canal. Turn right onto Eadie Ln, See *Eadie Lane Parking Area below.*

From Columbia on I-26, take exit 154B onto US301N for 6.4 miles. Turn right onto US176S for 10.7 miles. Turn left onto SC45E for 22.5 miles. Turn right onto Eadie Ln; it is the first road on the right after crossing the Diversion Canal. See *Eadie Lane Parking Area below.*

Eadie Lane Trailhead/Parking Area - Follow the road for 0.4 miles (south) to the giant fenced-in "Rock Closure Structure" pile of rocks on your right next to the canal. Park here next to the kiosk.

Because of construction the trail no longer heads south towards the Cross Power Plant. The reroute take the trail back to SC45E where it turns right for 0.8 miles. It turns right onto Viper Rd for 1.2 miles. Here the trail turns left into the woods at mile 24.5 where it rejoins the original trail route.

RULES & PRECAUTIONS

Minimum impact use is in everybody's best interest. To achieve this, we recommend the following practices:

Pack it in / pack it out
Stay on designated trails
Leave what you find
Respect private property
Camp only at designated sites
Use fire responsibly
Be considerate of fellow trail users
Carry plenty of food and water
Don't disturb wildlife or vegetation

FOR ADDITIONAL INFORMATION

Santee Cooper Land Division

Supervisor, Forestry & Undeveloped Lands
One Riverwood Drive
Moncks Corner, SC 29461
(843) 761-8000

Palmetto Conservation Foundation

722 King Street
Columbia, SC 29205-1706
(803)771-0870

www.palmettoconservation.org
info@palmettoconservation.org



Est. 1994

PALMETTO
C O N S E R V A T I O N



santee cooper®



U.S. Department
of Transportation
**Federal Railroad
Administration**

1200 New Jersey Ave, SE
Washington, DC 20590

Travis G. Hughes, Chief
Regulatory Division
U.S. Army Corps of Engineers
Charleston District
68 Hagood Avenue
Charleston, SC 29403

**Re: STB Docket No. FD 36095, Palmetto Railways Camp Hall
Rail Extension Project**

Dear Chief Hughes:

On July 12, 2018, the Federal Railroad Administration (FRA) sent a letter to the Surface Transportation Board (STB) accepting STB's invitation to be a cooperating agency in the preparation of an Environmental Assessment (EA) analyzing the impacts of the Palmetto Railways Camp Hall Rail Extension Project (Project). STB and the U.S. Army Corps of Engineers (USACE) are co-lead agencies for the EA. Should Palmetto Railways pursue federal funding for the Project through FRA, FRA would have to issue our own National Environmental Policy Act decision document. By participating in the development of the EA as a cooperating agency, FRA can ensure that the EA conforms to FRA's Procedures for Considering Environmental Impacts (64 Fed. Reg. 28545).

FRA understands that the STB has designated USACE to be the lead federal agency responsible for fulfilling the agencies' collective responsibilities under Section 106 of the National Historic Preservation Act (Section 106). In order to make the Section 106 review of the Project as effective and efficient as possible, FRA is also designating USACE as the lead federal agency for Section 106 responsibilities.

Mr. John Winkle, Transportation Industry Analyst in the Office of Railroad Policy and Development, will be the primary point of contact for the EIS and will work with the STB and USACE. Mr. Winkle can be reached at (202) 493-6067 or John.Winkle@DOT.Gov.

We look forward to working with the STB and USACE on this EA.

Sincerely,



7/12/2018

Michael Johnsen
NEPA Team Lead
Environment and Corridor
Planning Division

CC: Diana Wood, STB



Palmetto
RAILWAYS.

July 13, 2018

John Winkle
Environmental Protection Specialist
Federal Railroad Administration, Office of Program Delivery
1200 New Jersey Avenue SE
W36-317
Washington, DC 20590

Re: STB Docket No. FD 36095, Palmetto Railways – Construction Exemption – In
Berkeley County, South Carolina; Uses of Section 4(f) Properties

To whom it may concern:

At the request and direction of the joint lead agencies for the joint petition for exemption and application to construct and operate a 22.7 mile industrial rail line (hereinafter the Camp Hall Rail Line), the Surface Transportation Board's (Board) Office of Environmental Analysis (OEA) and the United States Army Corps of Engineers, Charleston District (Corps), the purpose of this letter is to continue the consultation process which began with OEA's letter to the Federal Railroad Administration (FRA) dated April 25, 2018, which introduced the Camp Hall Rail Line and invited FRA to become a cooperating agency for the review required of the project under the National Environmental Policy Act (NEPA). This letter is also intended to address the issues raised in the response of FRA Supervisor, Michael Johnsen, which was forwarded to Palmetto Railways by OEA and which alerted OEA of FRA's jurisdiction over the determination of whether the proposed project uses properties which fall under the protections of Section 4(f). The purpose of this letter is to provide FRA, as well as OEA and the Corps, who are copied on this letter, with information regarding the existence of possible Section 4(f) properties that have the potential to be impacted by the proposed alignment of the Camp Hall Rail Line.

I. Introduction

In accordance with the Department of Transportation (DOT) Act of 1966, Title 23, U.S.C.A. § 138, and 49 U.S.C.A. § 303, it is the policy of the United States government, "... that special effort be made to preserve the natural beauty of the countryside and public park and recreation lands, wildlife and waterfowl refuges, and historic sites." Section 4(f) has been part of Federal law since the DOT Act was enacted in 1966. In January 1983, as part of the recodification of the DOT Act, Section 4(f) was amended and codified in 49 U.S.C.A. § 303. Palmetto Railways understands that Section 4(f) applies to all transportation agencies within the U.S. Department of Transportation, including FRA.

With respect to the Camp Hall Rail Line, FRA would be responsible for confirming the existence (or non-existence) of properties or resources in the project area which might qualify for protection under Section 4(f), collectively referred to as 4(f) Resources. While not binding on FRA, Palmetto Railways understands that FRA uses FHWA regulations (23 CFR part 774) to guide its interpretation and implementation of Section 4(f). Specifically, Section 4(f) provides that:

“The Secretary of Transportation shall cooperate and consult with the Secretaries of the Interior, Housing and Urban Development, and Agriculture, and with the States, in developing transportation plans and programs that include measures to maintain or enhance the natural beauty of lands crossed by transportation activities or facilities... The Secretary may approve a transportation program or project...requiring the use of publicly owned land of a public park, recreation area, or wildlife and waterfowl refuge of national, State, or local significance, or land of an historic site of national, State, or local significance (as determined by Federal, State, or local officials having jurisdiction over the park, area, refuge or site) only if:

- There is no prudent and feasible alternative to using the 4(f) Resource; and
- The program or project includes all possible planning to minimize harm to the park, recreation area, wildlife and waterfowl refuge, or historic site resulting from the use.

Based on Palmetto Railways’ involvement with FRA on other projects, we further understand that the initial step in a Section 4(f) analysis is to determine whether resources identified in the project scoping phase qualify as 4(f) Resources. If no 4(f) Resources are identified, no additional analysis is required. If 4(f) Resources are identified in the project area, the Secretary of Transportation or applicable USDOT Operating Administration must determine whether there is a “use” of the 4(f) Resource. For the purposes of Section 4(f), a “use” of a 4(f) Resource can occur in one of four primary ways:

- When a resource is permanently incorporated into a transportation project (*i.e.*, demolition or land acquisition);
- When a resource is permanently encumbered by a transportation project (*i.e.*, the acquisition of a permanent easement) that disrupts a Section 4(f) function;
- When there is a temporary occupancy of a resource that is adverse in terms of the Section 4(f)’s purpose (*i.e.*, physical alteration of the resource during construction); or
- When the mere proximity of the project to a 4(f) Resource substantially impairs the features and attributes of the 4(f) Resource it is considered a constructive use of the 4(f) Resource.¹

Palmetto Railways further understands that, once a “use” of a 4(f) Resource is identified, a determination of the intensity or magnitude of impact on the resource is required. A “use” can be described by FRA as either “*de minimis*” or “not *de minimis*.” A *de minimis* impact involves the use of

¹ A Constructive use occurs when the transportation project does not incorporate land from a 4(f) Resource but the project’s proximity impacts are so severe that the protected activities, features, or attributes that qualify a resource for protection under Section 4(f) are substantially impaired. Substantial impairment occurs only when the protected activities, features, or attributes of the resource are substantially diminished.

4(f) Resource that is generally minor in nature and one that, after taking into account avoidance, minimization, mitigation and enhancement measures, results in no adverse effect to the activities, features, or attributes qualifying a park, recreation area, or refuge for protection under Section 4(f). For historic properties, a *de minimis* impact can be inferred from a Section 106 determination of "no adverse effect" or "no historic properties affected." A *de minimis* impact determination requires agency coordination with the officials having jurisdiction over the 4(f) Resources and opportunities for public involvement. For parks, recreation areas, and wildlife and waterfowl refuges, a *de minimis* impact may be made when all three of the following criteria are satisfied: (1) the use of the 4(f) Resource, together with any impact avoidance, minimization, and mitigation or enhancement measures incorporated into the project, does not adversely affect the activities, features, and attributes that qualify the resource for protection under Section 4(f); (2) the public has been afforded an opportunity to review and comment on the effects of the project; and (3) the official(s) with jurisdiction over the 4(f) Resource are informed of USDOT's *de minimis* impact determination based on their written concurrence that the project will not adversely affect the activities, features, and attributes that qualify the property for protection under Section 4(f).

Finally, Palmetto Railways understands that, for a project that results in a determination of "use" of a 4(f) Resource that is not *de minimis*, FRA is tasked with determining whether an alternative to the use exists that is prudent and feasible. An alternative is not feasible if it cannot be built as a matter of sound engineering judgment. In determining whether an alternative is prudent, FRA may consider if the alternative would result in any of the following: (1) compromise the project to a degree that is unreasonable for proceeding with the project in light of its stated purpose and need; (2) unacceptable safety or operational problems; (3) after reasonable mitigation the project results in severe social, economic, or environmental impacts; severe disruption to established communities; severe disproportionate impacts on minority or low-income populations; or severe impacts on environmental resources protected under other federal statutes; (4) additional construction, maintenance, or operational costs of an extraordinary magnitude; (5) other unique problems or unusual factors; and (6) multiple factors that, while individually minor, cumulatively cause unique problems or impacts of extraordinary magnitude. If FRA concludes that there is no feasible and prudent alternative to the use of Section 4(f) property, then it may approve only the alternative that causes the least overall harm in light of the statute's preservation purpose. The least overall harm is determined by balancing the following:

- The ability to mitigate adverse impacts to each Section 4(f) property (including any measures that result in benefits to the property);
- The relative severity of the remaining harm, after mitigation, to the protected activities, attributes, or features that qualify each Section 4(f) property for protection;
- The relative significance of each Section 4(f) property;
- The views of the official(s) with jurisdiction over each Section 4(f) property;
- The degree to which each alternative meets the purpose and need for the project;

- After reasonable mitigation, the magnitude of any adverse impacts to resources not protected by Section 4(f); and
- Substantial differences in costs among the alternatives.

II. Discussion

Existing Conditions

For the proposed route of the Camp Hall Rail Line, the study area for cultural resources is described in detail in the Environmental Report commissioned by Palmetto Railways and submitted to OEA and the Corps as a part of the permitting process. (Camp Hall Environmental Report, § 6.9, p.86). The study area for the project was approximately 23 miles (37.01 km) long and 200 feet (60.96 meters) wide. A Phase I cultural resource survey of the proposed rail corridor was completed between November 8 and December 21, 2016. Additional survey of the proposed Camp Hall Railroad Build-in was conducted in April 2017 due to a slight shift in the proposed alignment.² As a result of the study, the following potential 4(f) Resources were identified, each of which is addressed further below:

- No archaeological sites or isolated finds were encountered within the proposed rail corridor and no additional archaeological investigation was recommended for the proposed survey corridor. Camp Hall Environmental Report at p.87.
- Eight previously recorded architectural, or aboveground, resources within the APE for the historic architectural survey were identified and are listed below. *See* Camp Hall Environmental Report Table 6-10. Seven of the resources were recommended as ineligible for NRHP listing; however, the diversion canal that connects Lakes Marion and Moultrie (Diversion Canal) was recommended as eligible for NRHP listing and as a contributing element to the NRHP eligible Santee Cooper Hydroelectric Project Historic District.
 - Resource No. 115-0004, J. L. Williams House (Not Eligible);
 - Resource No. 115-0006, Peagler House (No Longer Exists);

² The survey was conducted by Palmetto Railways to assist the Corps and OEA with respect to their analysis of the project under Section 106 of the National Historic Preservation Act (NHIPA), 16 U.S.C.A. § 470. The goals of the survey were to identify cultural resources within the project corridor, make recommendations about the National Register of Historic Places (NRHP) eligibility status of each resource, and evaluate whether the proposed undertaking would have adverse effects on properties eligible for the NRHP. Criteria used for assessing NRHP eligibility and project effects are set forth in 36 CFR, Part 60.4 (NRHP eligibility criteria) and 36 CFR Part 800 (project effects). The archaeological fieldwork was confined to the 23-mile by 200-ft wide proposed rail corridor for direct impacts; however, the survey included areas of potential indirect impacts within a zone of around one half mile from the centerline of the proposed corridor. In addition, Palmetto Railways developed and discussed fieldwork methodology with the South Carolina State Historic Preservation Office (SHPO) in order to ensure that the survey approach used was adequate. The archaeological methodology included pedestrian inspection and regular interval shovel testing throughout the survey corridor. Shovel testing was conducted along two survey transects that spanned the entire 23 mile by 200-ft wide corridor.

- Resource No. 0806, Unnamed House (Not Eligible);
 - Resource No. 0807, R.L. Singletary Grocery (Not Eligible);
 - Resource No. 0808, Unnamed House (No Longer Exists);
 - Resource No. 0786, Lakes Marion and Moultrie Diversion Canal (Contributes to NRHP district);
 - Resource No. 497-0002, Blackmon-Shuler Cemetery (Not Eligible); and
 - Resource No. 115-0011, Winningham Cemetery (Not Located, Erroneously Mapped).
- Fifty-four additional unrecorded architectural resources were also surveyed and documented during the study. *See* Camp Hall Environmental Report Table 6-10. Only two of the fifty-four identified resources were recommended as eligible for NRHP listing, as detailed below.
 - Resource No. 1263, Garrett Cemetery (Recommended Eligible); and
 - Resource No. 1270, Bulltown Ditch (Recommended Eligible).
 - The proposed route of the Camp Hall Rail Line also runs parallel and adjacent to portions of property owned by Santee Cooper,³ which are leased to the South Carolina Department of Natural Resources (SCDNR) as wildlife management areas (WMA).
 - The Moultrie Hunt Unit, consisting of over 9,000 acres of property owned and managed by Santee Cooper as a part of the Cross Generating Station and Diversion Canal. Lands are leased to SCDNR under an at-will agreement that provides limited public access for hunting.
 - Finally, the proposed route of the Camp Hall Rail Line crosses a portion of the Palmetto Trail, a 350-mile semi-contiguous pedestrian and bicycle cross-state trail that connects state and county parks, national forests, nature preserves, WMAs, Revolutionary War battlefields, and Native American paths.

³ Santee Cooper, also known as the South Carolina Public Service Authority, is a state-owned electric and water utility and landowner. Santee Cooper owns and is developing the Camp Hall Commerce Park, the location of the Volvo Cars manufacturing facility and the western terminus of the Camp Hall Rail Line. Santee Cooper also owns and utilizes Lakes Marion and Moultrie and their associated channels and canals, as well as significant landholdings surrounding those areas, as a part of its hydroelectric power generation facilities in the area, including the Cross Generating Station, near the eastern terminus of the Camp Hall Rail Line.

Potential Section 4(f) Resources

1. Diversion Canal

Of the eight architectural resources previously identified within the APE, only the Diversion Canal that connects Lakes Marion and Moultrie was recommended as eligible for NRHP listing and as a contributing element to the NRHP eligible Santee-Cooper Hydroelectric Project Historic District, thereby potentially qualifying as a 4(f) Resource. The impacts of the proposed bridge over the Diversion Canal consists of the permanent filling of open water wetlands comprising <1% (2.4 acres) of the impacts within the corridor. The Diversion Canal was originally excavated in 1941. It is 7.5 miles long, approximately 500 feet wide and approximately 12 feet deep. The bottom consists of sand and clay, with some sediments washed downstream from the Santee River. There is very little organic material or vegetation in this part of the canal and it was last dredged in 2014 to remove accumulated silt and sediments on the Lake Moultrie side of the canal. It provides aquatic habitat for a variety of species; however, there is no vegetation associated with the open water wetland. This area is considered *Very Impaired* due to the excavated nature of the canal and the periodic dredging to remove accumulated sediment. Also, spoil has been placed adjacent to the canal on either side, filling wetlands and altering the natural hydrology of these adjacent areas.

The proposed alignment will cross the Diversion Canal approximately 2.75 miles from its northern terminus. A depiction of the location of the proposed bridge crossing the Diversion Canal is attached hereto as Exhibit A. While the Highway 45 Bridge also crosses the canal, this newly proposed crossing is located more than one mile from the existing crossing. Based on this, the portion of the Diversion Canal that will be crossed by the Camp Hall Build-in retains its integrity of location, design, setting, materials, workmanship, feeling, and association. However, visual impacts to the Diversion Canal will be minimal, as the proposed rail over the canal will be proximate to the existing highway crossing of the canal. The current design of the proposed crossing will consist of a six-span bridge would be supported by seven new bents. The in-water structures for the bridge consist only of four bents. Each of the four bents consist of two 8 foot 6 inch-diameter drilled shaft foundations that would be constructed in water, and no piles will be utilized. A total of eight drilled shaft foundations would be placed in water for a total of 453.6 square feet of in-water structures. A description of the avoidance and minimization measures proposed by Palmetto Railways to address potential noise and vibration impacts from construction of the bridge is incorporated in the Mitigation Plan submitted as part of the Section 404 permit application. Given the temporary nature of the construction and the measures undertaken by Palmetto Railways, it is expected that the noise and vibration impacts are within allowable limits and impact thresholds; therefore, no material impacts to the Diversion Canal from the construction or operation of the rail line are anticipated.

With respect to the current use of the Diversion Canal as a connecting feature between two bodies of water (Lakes Marion and Moultrie), recreational activities are incidental, secondary, or occasional to the primary purpose of the Canal, which is a necessary component to Santee Cooper's generation of hydroelectricity. Palmetto Railways, through avoidance, minimization, mitigation and enhancement measures,⁴ will ensure that the project neither permanently disrupts the features of the

⁴ To that end, Palmetto Railways has participated in the Section 106 consultation process for the Camp Hall Rail Line, in connection with the Corps and OEA, in order to gain consensus amongst the identified consulting parties regarding the impacts of the proposed project.

Diversion Canal that contribute to its status as eligible for NRHP listing nor interrupts either the primary or secondary purposes of the Diversion Canal. As a result, notwithstanding the Diversion Canal's identification as a NRHP-eligible resource and a potential 4(f) Resource, and based on the publicly available resources regarding Other Considerations to consider in determining whether a resource qualifies as a 4(f) Resource, the requirements of Section 4(f) may not apply to the proposed work in the Diversion Canal.

2. Garrett Cemetery

Garrett Cemetery, a previously unrecorded site consisting of a small, African American family cemetery, was identified during the survey. The location of the cemetery in relation to the proposed alignment is shown in the depiction attached hereto as Exhibit A. Because a rural, African American cemetery with extant markers that are unique in their construction and materials is a rare occurrence, Palmetto Railways recommended the site as eligible for NRHP listing. Cemeteries are also protected from desecration under South Carolina law. In comments responding to the Palmetto Railways Phase I Survey, SHPO agreed with the recommendation of eligibility for Garrett Cemetery and for a 50-foot buffer area around its perimeter for avoidance. Currently, the western edge of the survey corridor is approximately 75 feet outside of the cemetery boundaries; however, proposed impacts associated with the rail line itself will only occur within a zone approximately 175 feet from the cemetery boundary. Based on these designs, Garrett Cemetery is located outside of the area where construction and operation activities will occur and the Camp Hall Rail Line will more than comply with the 50-ft buffer established around the resource. Additionally, as described in the Camp Hall Environmental Report at § 6.4, noise and vibration impacts are within allowable limits and impact thresholds; therefore, no material impacts on Garrett Cemetery from the construction or operation of the rail line are anticipated.

3. Bulltown Ditch

Bulltown Ditch was also identified during the survey. This resource was identified on the 1921 Chicora topographic map; however, it was noted in an 1881 report as part of the Santee Canal system, which was constructed in the late eighteenth century. A depiction of the location of the Bulltown Ditch is included in the attached Exhibit A. Prior to the construction of Lake Moultrie, the Bulltown Ditch served as a feeder canal for the Santee Canal, draining water from Bulltown Swamp towards the canal. Today, Bulltown Ditch extends over 18,000 feet from the Santee Canal off of Lake Moultrie to the Diversion Canal, bisecting Bulltown Bay. This feature is approximately 6 feet wide and 4 feet deep. The canal is crossed by various public and forestry roads as well as the CSX rail line serving the Cross Generating Station through large concrete and metal culverts. This wetland system is highly impacted and is considered a *Very Impaired* wetland feature. It removes hydrology from some areas and is an excavated feature with an adjacent spoil berm that alters hydrology in the immediate area of the ditch. In some areas, the Bulltown Ditch flows through uplands before draining back into wetlands.

Similar to the Diversion Canal, Bulltown Ditch is a waterway⁵ that has no identified recreational purpose, although portions of the ditch do run through the Moultrie Hunt Unit WMA.⁶ Although constructed for the purpose of being a feeder canal for the Santee Canal, today, the primary purpose of the Bulltown Ditch appears to only be a secondary water conveyance mechanism, with all other purposes, including unidentified recreational activities considered incidental, secondary, or occasional to that primary purpose. Therefore, notwithstanding its identification as a Section 106 resource and a potential 4(f) Resource, the requirements of Section 4(f) may not apply.

Even if Section 4(f) were determined to apply, the proposed alignment has been modified through minimization and avoidance measures such that the Camp Hall Rail Line would cross Bulltown Ditch only at its northern end adjacent to the existing CSX A-line rail line. The identified crossing of the Bulltown Ditch has already been impacted by the construction of both the existing CSX A-line and a transmission easement, which allows the ditch to pass beneath those impacts through an existing culvert system. Palmetto Railways has proposed measures to avoid or minimize any potential damage during construction, including proposed stabilization of the bank of Bulltown Ditch near where the rail line would cross the ditch, as well as the extension of the existing culvert in the area to improve the existing conditions. In addition to the proposed crossing, a portion of the rail line near the existing Santee-Cooper Power Plant runs parallel to the ditch approximately 150 feet away, which distance is sufficient to avoid impacts during construction and operation of the line. Regarding noise and vibration, *see* Camp Hall Environmental Report at § 6.4, impacts are within allowable limits and impact thresholds; therefore, no material impacts to the Bulltown Ditch from the construction or operation of the rail line are anticipated.

4. Moultrie Hunt Unit WMA

The Moultrie Hunt Unit WMA was identified during the survey as being within the study area of the proposed alignment.⁷ The Moultrie Hunt Unit consists of over 9,000 acres of Santee Cooper-owned property surrounding Lake Moultrie, portions of which are in the vicinity of and in certain locations adjacent to the Cross Generating Station and Diversion Canal. The Moultrie Hunt Unit is a portion of lands leased to SCDNR under an at-will agreement that allows SCDNR to establish a WMA for the provision of limited public access for hunting in a manner that is compatible with the primary use of the land, which is in support of Santee Cooper's provision of hydroelectric energy to its customers. The proposed alignment of the Camp Hall Rail Line runs parallel to the WMA in certain locations, but was designed such that at no point does the WMA fall within the project corridor. The location of the WMA in relation to the proposed alignment is shown in the depiction attached hereto as Exhibit A. Thus no direct use of the WMA, either permanent or temporary will occur under the proposed project. Additionally, the land that is a part of the WMA is not owned by SCDNR, but

⁵ Bodies of water, including rivers, are generally not subject to the requirements of Section 4(f) unless the primary purpose of the body of water is for park, recreation, or refuge purpose.

⁶ The identified WMA is discussed in more detail, below.

⁷ Under a prior alignment of the Camp Hall Rail Line, the alignment corridor plotted to pass through portions of the Moultrie Hunt Unit WMA (*see, e.g.,* Camp Hall Environmental Report at §§ 3.7.14.1, 6.1.1.1); however, revisions to the preferred alignment have continued as Palmetto Railways has further developed and refined the alignment through avoidance and minimization measures, and it has since been confirmed that the preferred alignment does not pass through any property that is currently included in land leased to SCDNR as WMAs and instead crosses other land owned by Santee Cooper which is parallel and adjacent to land leased to SCDNR as a WMA.

is instead only leased from Santee Cooper for a purpose that is expressly secondary to the ownership interest of Santee Cooper. Further, Palmetto Railways' operation of the rail line, which will result in intermittent use of the rail line consisting of the five estimated trains per week, would be unlikely to result in any indirect impact of sufficient magnitude to severely impact or impair the hunting features and activities of the WMA.

Even if a "use" of the land leased by SCDNR could be inferred, it is questionable whether the Moultrie Hunt Unit WMA qualifies as a 4(f) Resource at all, notwithstanding its designation as a WMA. In order to qualify as 4(f) Resource, the primary purpose of the WMA must be for refuge activities. Here, the lease agreement between Santee Cooper and SCDNR expressly notes that the privileges afforded by the lease agreement are limited to hunting and that such hunting privileges are expressly considered secondary to the primary use of the subject property by Santee Cooper. Additionally, as noted above, because the primary use of the subject property is not for refuge activities, the lease agreement is also expressly terminable at-will by Santee Cooper upon thirty days' written notice. Further, SCDNR does not actively manage the WMA as a refuge beyond application of its general guidelines and principles for wildlife management, including hunting permits, and hunting is limited to archery-only to control local deer populations (in order to not threaten the safety of the adjacent electric power generating facility and canal), and the WMA area around the Cross Generating Station is closed to public access except for special youth-only draw hunts. Finally, the environmental investigation of the rail corridor in the areas of the Moultrie Hunt Unit did not reveal significant waterfowl habitat, colonial nesting birds, protected/threatened/endangered species, mitigation corridors, or other habitat designations that might infer the presence of a refuge. Regarding noise and vibration, *see* Camp Hall Environmental Report at § 6.4, impacts are within allowable limits and impact thresholds; therefore, no material impacts to the Moultrie Hunt Unit WMA from the construction or operation of the rail line are anticipated.

5. Palmetto Trail

The Palmetto Trail was identified during the survey as being within the study area of the proposed alignment. Established in 1994, the Palmetto Trail is an approximately 350-mile, semi-contiguous pedestrian and bicycle trail that connects state and county parks, national forests, nature preserves, WMAs, Revolutionary War battlefields, and Native American paths in South Carolina. The Trail is made up of 26 independent passages that range from 1.3 to 47 miles long. The section of the Trail in the vicinity of the proposed project is the eastern portion of the Lake Moultrie Passage, a 26.9-mile section of the Trail that rings the eastern and northern shores of Lake Moultrie, beginning just northeast of the Diversion Canal at Eadie Lane. *See* Ex. B, Map of Lake Moultrie Passage, Section 2. From the Eadie Lane Trailhead, the Trail backtracks along Eadie Lane until it reaches SC Highway 45. The Trail follows SC Highway 45 north for approximately 0.8 miles, before turning right onto and following Viper Road, a State-owned and maintained road, for 1.2 miles. At approximately mile 34.5 of Viper Road, the Trail turns left (northeast) into the woods and continues in that direction.

The proposed alignment of the Camp Hall Rail Line intersects Viper Road in the section of that public access roadway in which the Trail is described as following the path of and occupying the right-of-way of Viper Road. Accordingly, for the section of the Trail in question, the primary use of the right-of-way is not for recreation as a shared trail, but is instead used primarily for transportation as an integral part of the local and State-wide transportation system. In fact, Viper Road serves as the primary ingress and egress to the Santee Cooper Cross Generating Station, as well as the only ingress

Mr. John Winkle

July 13, 2018

Page 10 of 10

and egress to the residential communities along Lake Moultrie located at the end of Viper and Halls Roads, respectively.

Even if Section 4(f) were determined to apply, the operation of the rail line, consisting of intermittent use of the rail line in the form of the five estimated trains per week, does not severely impact or impair the recreational features and activities of the Trail. Likewise, regarding noise and vibration, *see* Camp Hall Environmental Report at § 6.4, impacts are within allowable limits and impact thresholds; therefore, no material impacts to the Palmetto Trail from the construction or operation of the rail line are anticipated.

III. Conclusion

In closing, the evidence gathered by Palmetto Railways and its consultants indicates that the Camp Hall Rail Line does not indicate a "use" of any identified 4(f) Resource and should be determined to have, at most, a *de minimis* impact on the Diversion Canal and the Palmetto Trail. Palmetto Railways respectfully requests FRA's review and concurrence with the forgoing Section 4(f) materials and looks forward to working cooperatively with FRA as it conducts its review of the Camp Hall Rail Line.

Thank you for your time and consideration of this project. Please advise of any additional information that you need to facilitate a timely review and decision.

Sincerely,



Jeffrey McWhorter
President and CEO

cc: Victoria Rutson
Travis G. Hughes
James F. Choate, Esquire
Randolph R. Lowell, Esquire
Chad N. Johnston, Esquire



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.

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

-----Original Message-----

From: Kanaski, Richard [mailto:richard_kanaski@fws.gov]

Sent: Thursday, September 20, 2018 1:24 PM

To: Zulauf, Michelle R CIV USARMY CESAC (US) <Michelle.R.Zulauf@usace.army.mil>

Subject: [Non-DoD Source] Camp Hall Rail Project - Concurrence with Finding of No Adverse Effect

My office has reviewed Amec Foster Wheeler's 2017 "Phase I Cultural Resource Survey of the Proposed Camp Hall Railroad Build-In, Berkeley County, South Carolina" and ICF's 2018 "Camp Hall Project: National Historic Preservation Act Section 106 Finding of Effect". The proposed construction and subsequent operation of a 22.7-mile rail line in Berkeley County by Palmetto Railways will have "no adverse effect" to the Santee Cooper Hydroelectric Project's Diversion Canal, the Bulltown Ditch, and the Garrett Cemetery, provided that the stipulations outlined in ICF (2018: 18-19;21; and 23) are implemented during construction. Should the project's footprint, scale or scope change, further review pursuant to Section 106 will be necessary.

Thank you for the opportunity to consult on this undertaking. Should you have any questions, please do not hesitate to contact me at (843) 784-6310 or at richard_kanaski@fws.gov <mailto:richard_kanaski@fws.gov> .

Yours sincerely,

Richard S. Kanaski, Regional Historic Preservation Officer
& Regional Archaeologist
U.S. Fish and Wildlife Service, Southeast Region

--

Richard S. Kanaski, Regional Historic Preservation Officer &
Regional Archaeologist
U.S. Fish and Wildlife Service, Southeast Region
(843) 784-6310 [Office]
(912) 257-5434 [Cell]
richard_kanaski@fws.gov <mailto:richard_kanaski@fws.gov>

REGULATORY - ROUTING & REVIEW SHEET

RETAIN A COPY OF THIS TRACKING/ROUTING SHEET FOR THE ADMINISTRATIVE RECORD. ATTACH A COPY OF SIGNED DOCUMENT AND ANY ENCLOSURES.

PROJECT MANAGER: Williams

DATE: 8/8/18 ORM #: 2016-1395

FILE NAME: Camp Hall - custom loc letter

ROUTING/REVIEW:

Write in Names as Review/Routing progresses

Date=Date review/changes completed and passed on to next level reviewer.

Name	Initials	Date
Dunning		
Williams	W	
Zulauf	m3	8 Aug. 18
Choate	JFC	8 Aug. 18
Heath	AH	8 Aug 18
Hughes	LAH	8 Aug 18

MAILING INSTRUCTIONS:

Print the Following:			Initials	Complete for a Permit:			Initials
☐ JD Ltr	☐ JD Appeal	☐ JD Form		☐ Public Notice	☐ Draft Permit		
☐ NWP Ltr	☐ GP Letter	☐ Other		☐ Letter 3	☐ Letter 4		
☐ Other				☐ \$10.00 / \$100.00 / None	☐ Other:		
Enclosures: ☐ Attached ☐ To be printed ☐ None				☐ Mail	☐ FedEx	☐ Certified	
☐ Approved for RPA Preparation							
Document Location:							
Additional Instructions:							

ORM COMPLETE (✓): _____

APPROVED FOR MAILING: (Final Reviewer signature & date) LAH 8/8/18

DATE LETTER MAILED: _____



U.S. Department
of Transportation
**Federal Railroad
Administration**

1200 New Jersey Ave, SE
Washington, DC 20590

Victoria Rutson
Director, Office of
Environmental Analysis
The Surface Transportation Board
Office of Environmental Analysis
395 E Street SW
Washington, DC 20423

**Re: STB Docket No. FD 36095, Palmetto Railways Camp Hall
Rail Extension**

Dear Ms. Rutson:

I am writing in response to your letter of April 25, 2018 to Marlys Osterhues. I apologize for the delay in responding. Thank you for inviting the Federal Railroad Administration (FRA) to act as a cooperating agency with the Surface Transportation Board (STB) and the U.S. Army Corps of Engineers (USACE) in the development of the Environmental Assessment (EA) for the Palmetto Railways Camp Hall Rail Extension (Project) in Berkeley County, SC.

FRA accepts STB's invitation to be a cooperating agency on this EA. Based on the information included with your letter, FRA understands that the Project will construct a new rail line allowing Palmetto Railways to provide rail access to the Camp Hall Commerce Park. In addition, FRA recognizes that Palmetto Railways has not yet secured funding for the Project. In order for any funding for the Project to come through FRA, the EA must comply with FRA's Procedures for Considering Environmental Impacts (64 Fed. Reg. 28545), including Section 4(f) of the U.S. Department of Transportation Act. Acting as a cooperating agency in the preparation of the EA will ensure that the EA conforms to FRA's Procedures.

In accordance with 40 CFR 1501.6, as a cooperating agency, FRA anticipates being afforded the opportunity to participate in NEPA coordination meetings, raise concerns about technical studies, provide information on alternatives/mitigation, and review/provide comments on pre-draft/pre-final documents in relation to environmental issues of concern. FRA also intends to designate USACE as the lead agency for consultations under Section 106 of the National Historic Preservation Act.

Mr. John Winkle, Transportation Industry Analyst in the Office of Railroad Policy and Development, will be the primary point of contact for the EIS and will work with the STB and USACE. Mr. Winkle can be reached at (202) 493-6067 or John.Winkle@DOT.Gov.

We look forward to working with the STB and USACE on this EA.

Sincerely,

 7/12/2018

Michael Johnsen
NEPA Team Lead
Environment and Corridor
Planning Division

Cc: Elizabeth Williams, USACE



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
CHARLESTON DISTRICT, CORPS OF ENGINEERS
69A HAGOOD AVENUE
CHARLESTON, SOUTH CAROLINA 29403-5107

AUG 08 2018

Regulatory Division

U.S. Fish and Wildlife Service
Savannah Coastal Refuges Complex
Richard Kanaski
Regional Historic Preservation Officer
694 Beech Hill Lane
Hardeville, South Carolina 29927

Dear Mr. Kanaski:

This letter is regarding an application for a Department of the Army (DA) permit SAC-2016-01395 for the proposed project known as the Camp Hall Rail project, which consists of the construction of an industrial rail line, connecting the CSXT Cross Subdivision near the Santee Cooper Cross Generating Station and the Camp Hall Commerce Park. The proposed rail line will travel south and west, crossing the Diversion Canal between Lakes Marion and Moultrie, continue through the unincorporated community of Cross, split, and end with two tracks (Camp Hall Track and the Volvo Lead Track) on the Camp Hall Commerce Park site in Berkeley County, South Carolina. The Corps of Engineers, Charleston District, together with the Surface Transportation Board's Office of Environmental Analysis (OEA) as joint lead agencies, are evaluating the potential environmental effects of the proposed project pursuant to the National Environmental Policy Act of 1969, as amended (NEPA). Additionally, 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. Furthermore, on May 29, 2018, U.S. Fish and Wildlife Service indicated that it would participate as a consulting party for this undertaking and designated you as the agency representative. In accordance to 36 CFR 800.5(c), this letter intends to notify you of the Corps finding of effects for this undertaking.

Please find enclosed, the Corps' determination of effects and all supporting documentation, as required in 36 CFR 800.11, for the Camp Hall Rail Project (SAC-2016-01395). In accordance to the National Historic Preservation Act of 1966, as amended (NHPA), 36 CFR Part 800; and 33 CFR Part 325, Appendix C, the Corps has submitted this information to the SC State Historic Preservation Office (SHPO) and requested concurrence with the NHPA effects determination. In accordance to 36 CFR 800.5(c), please notify our office in writing of any concerns your agency has regarding the Corps' determination of effects and supporting documentation within 30-days of receipt of this letter.

If you have any questions concerning this matter, please contact Elizabeth Williams, Project Manager, at (843) 329-8099, or Michelle Zulauf, Regulatory Archaeologist at (843) 329-8046.

Respectfully,

A handwritten signature in black ink, appearing to read "T. Hughes", with a horizontal line extending to the right.

Travis G. Hughes
Chief, Regulatory Division

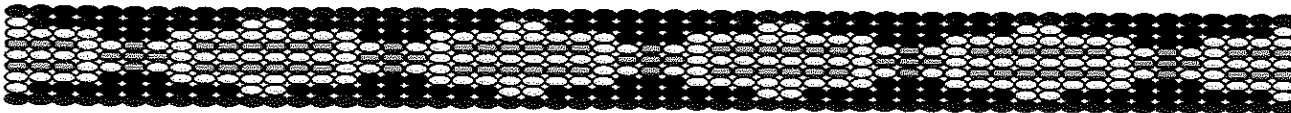
Enclosures:
Effects Determination Letter to SHPO with enclosures

cc (via email):
Diana Wood, OEA
John Winkle, FRA
T Ravenel, Palmetto Railways

Catawba Indian Nation
Tribal Historic Preservation Office
1536 Tom Steven Road
Rock Hill, South Carolina 29730

APR 30 2018

Office 803-328-2427
Fax 803-328-5791



April 25, 2018

Attention: Elizabeth Williams
Charleston District, Corps of Engineers
69 A Hagood Avenue
Charleston, South Carolina 29403-5107

Re. THPO #	SAC #	Project Description
2018-1-70	2016-1395	Permit to discharge fill material into waters of the U.S. Including wetlands associated with Bulltown Ditch, the Diversion Canal and tributaries to Caton Creek and Black Creek

Dear Ms. Williams,

The Catawba have no immediate concerns with regard to traditional cultural properties, sacred sites or Native American archaeological sites within the boundaries of the proposed project areas. **However, the Catawba are to be notified if Native American artifacts and / or human remains are located during the ground disturbance phase of this project.**

If you have questions please contact Caitlin Rogers at 803-328-2427 ext. 226, or e-mail caitlinh@ccppcrafts.com.

Sincerely,

Wenonah G. Haire
Tribal Historic Preservation Officer



DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS, CHARLESTON DISTRICT
69A HAGOOD AVENUE
CHARLESTON SOUTH AROLINA 29403

AUG 08 2018

REPLY TO
ATTENTION OF:

Regulatory Division

Ms. Kelly Lewis
South Carolina Department of Archives and History
State Historic Preservation Office
8301 Parklane Road
Columbia, South Carolina 29223-4905

Dear Ms. Lewis:

This letter is regarding an application for a Department of the Army (DA) permit SAC-2016-01395 for the proposed project known as the Camp Hall Rail project, which consists of the construction of an industrial rail line, connecting the CSXT Cross Subdivision near the Santee Cooper Cross Generating Station and the Camp Hall Commerce Park. The proposed rail line will travel south and west, crossing the Diversion Canal between Lakes Marion and Moultrie, continue through the unincorporated community of Cross, split, and end with two tracks (Camp Hall Track and the Volvo Lead Track) on the Camp Hall Commerce Park site in Berkeley County, South Carolina. The Corps of Engineers, Charleston District, together with the Surface Transportation Board's Office of Environmental Analysis (OEA) as joint lead agencies, are evaluating the potential environmental effects of the proposed project pursuant to the National Environmental Policy Act of 1969, as amended (NEPA). Additionally, 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. In accordance with the National Historic Preservation Act of 1966, as amended (NHPA), 36 CFR Part 800; and 33 CFR Part 325, Appendix C, the Corps is requesting concurrence with the NHPA effects determination.

The undertaking, as defined in 33 CFR 325, Appendix C (1) (f), consists of the construction of the construction of an industrial rail line. As defined in 33 CFR 325, Appendix C (1)(g), the Corps' permit area consists of those areas comprising the waters of the United States that will be directly affected by the proposed work or structures and uplands directly affected as a result of authorizing the work or structures. The following three tests must all be satisfied for an activity undertaken outside the waters of the United States to be included within the "permit area":

1. Such activity would not occur but for the authorization of the work or structures within the waters of the United States;
2. Such activity must be integrally related to the work or structures to be authorized within waters of the United States. Or, conversely, the work or structures to be authorized must be essential to the completeness of the overall project or program; and
3. Such activity must be directly associated (first order impact) with the work or structures to be authorized.

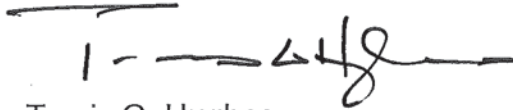
For this undertaking all three tests above are met and therefore, the Corps' permit area is considered to be the same as the Area of Potential Effect (APE), as defined in 36 CFR 800.16(d).

Furthermore, 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 will focus on the APE. The APE for archaeological sites was defined as the project footprint plus a 100-foot-wide buffer zone on either side of the edge of the project footprint. The APE for aboveground historic properties (historic buildings, structures, sites, objects, landscapes and districts) has been defined as the project footprint plus a 200-foot buffer on either side of the project footprint measured from its outermost edge.

Please find enclosed a document entitled "*Camp Hall Rail Project, National Historic Preservation Act Section 106 Finding of Effect*" which includes details of the project, Section 106 coordination efforts, an effects analysis and conclusions of the analysis. As you are aware, based on the cultural resources survey conducted for Palmetto Railway's proposed project, the Diversion Canal is NRHP-eligible as a contributor to the Santee-Cooper Hydroelectric Project historic district and two additional resources, the Garrett Cemetery and the Bulltown Ditch, were identified as NRHP eligible. As detailed in the enclosed document, based on all available information and after applying the criteria of adverse effect as defined in 36 CFR Part 800.5(a)(1) and 33 CFR Part 325, Appendix C 7(a), it is the Corps' determination that the Camp Hall Rail Project (SAC-2016-01395) will have no adverse effect on historic properties. In accordance with the NHPA; 36 CFR Part 800; and 33 CFR Part 325, Appendix C, the Corps is requesting review and concurrence with the Corps' determination within 30-days of receipt of this letter.

If you have any questions concerning this matter, please contact Elizabeth Williams, Project Manager, at (843) 329-8099, or Michelle Zulauf, Regulatory Archaeologist at (843) 329-8046.

Sincerely,

A handwritten signature in black ink, appearing to read 'T. Hughes', with a horizontal line extending to the right.

Travis G. Hughes
Chief, Regulatory Division

Enclosures:

Camp Hall Rail Project, National Historic Preservation Act Section 106 Finding of Effect; Sheets 1, 11, 15-16, and 106 of 106 entitled "Palmetto Railways Camp Hall Rail Project", dated March 2018;

Bridge over Diversion Canal Plan and Elevation Drawings, entitled "Santee Cooper-Camp Hall" dated March 1, 2018

cc (via email):

Richard Kanaski, USFWS

Diana Wood, OEA

John Winkle, FRA

T Ravenel, Palmetto Railways

CAMP HALL RAIL PROJECT

NATIONAL HISTORIC PRESERVATION ACT SECTION 106 FINDING OF EFFECT

PREPARED FOR:

Surface Transportation Board, Office of Environmental Analysis
395 E Street, SW
Washington, DC 20423
Contact: Diana Wood
(202) 245-0302

U.S. Army Corps of Engineers, Charleston District
69 Hagood Avenue
Charleston, SC 29412
Contact: Elizabeth Williams
(843) 329-8099

PREPARED BY:

ICF
9300 Lee Highway
Fairfax, VA 22031
Contact: Colleen Davis
213-312-1759

August 2018



ICF. 2018. *Camp Hall Rail Project National Historic Preservation Act Section 106 Finding of Effect*. July. (ICF 00305.17.) Los Angeles, CA. Prepared for Surface Transportation Board, Office of Environmental Analysis & U.S. Army Corps of Engineers, Charleston District, Charleston, SC.

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Acronyms and Abbreviations

APE	Area of Potential Effects
Applicant	Palmetto Railways
Applicant's Consultant Team	Amec Foster Wheeler and S&ME
Board	Surface Transportation Board
CFR	Code of Federal Regulations
Corps	U.S. Army Corps of Engineers
FRA	Federal Railroad Administration
NHPA	National Historic Preservation Act of 1966
NRHP	National Register of Historic Places
OEA	Surface Transportation Board Office of Environmental Analysis
SHPO	State Historic Preservation Officer
U.S.C.	U.S. Code

Background

On August 3, 2017, Palmetto Railways (Applicant){ TC "Palmetto Railways (Applicant)" \f A \l "1" } filed a petition for exemption with the Surface Transportation Board (Board){ TC "Surface Transportation Board (Board)" \f A \l "1" } pursuant to 49 U.S. Code (U.S.C.){ TC "U.S. Code (U.S.C.)" \f A \l "1" } §§ 10502 and 10901 in Docket No. FD 36095. The Applicant intends to construct and operate a new 22.7-mile rail line in Berkeley County, South Carolina. Pursuant to Sections 404 of the Clean Water Act (33 U.S.C. 1344), the Applicant has submitted an application to the U.S. Army Corps of Engineers (Corps){ TC "U.S. Army Corps of Engineers (Corps)" \f A \l "1" } for a Department of the Army permit for the discharge of fill material into waters of the U.S. in association with the construction of the proposed rail line. The proposed rail line would provide rail service from the 6,781-acre Camp Hall Commerce Park currently under development to the A-Line of CSX Transportation Inc. (through the CSX Transportation Inc. Cross Subdivision connection) near the Santee Cooper Generating Station (Figure 1).

The Board's Office of Environmental Analysis (OEA){ TC "Office of Environmental Analysis (OEA)" \f A \l "1" } together with the Corps, as joint lead agencies, will evaluate the potential environmental effects of the proposed project pursuant to the National Environmental Policy Act of 1969, 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){ TC "National Historic Preservation Act of 1966 (NHPA)" \f A \l "1" }, as amended (54 U.S.C. § 306108), and its implementing regulations at 36 Code of Federal Regulations (CFR){ TC "Code of Federal Regulations (CFR)" \f A \l "1" } 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 106.¹ On July 12, 2018, the Federal Railroad Administration (FRA){ TC "Federal Railroad Administration (FRA)" \f A \l "1" } 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. This document addresses effects analysis under the NHPA.

¹ The U.S. Fish and Wildlife Service is the only entity that requested to be a consulting party under Section 106.

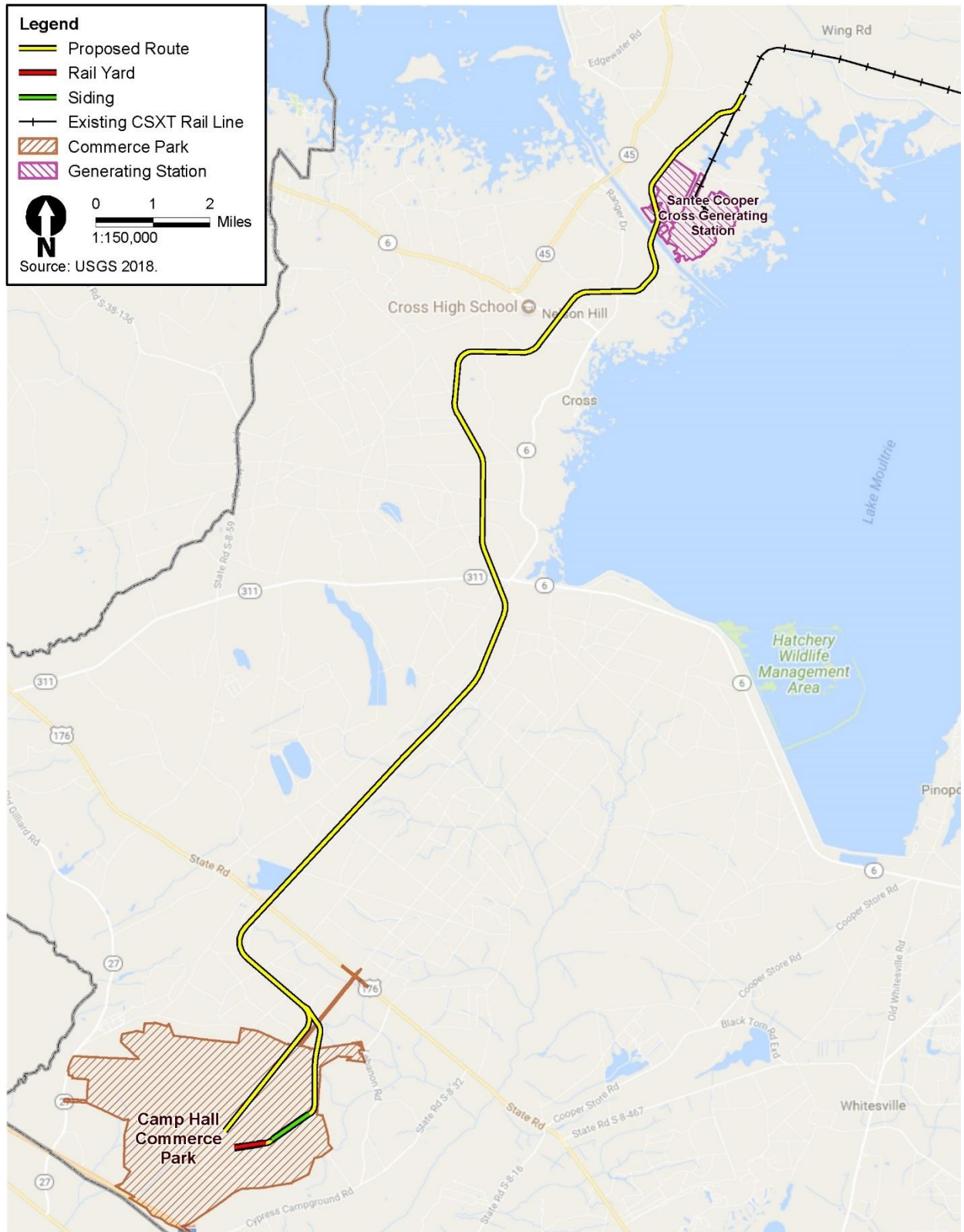


Figure 1. Project Location

Regulatory Setting

National Historic Preservation Act

The NHPA establishes the federal government policy on historic preservation and the programs, including the National Register of Historic Places (NRHP) { TC "National Register of Historic Places (NRHP)" \f A \l "1" }, through which this policy is implemented. Under the NHPA, significant cultural resources, referred to as historic properties, include any prehistoric or historic district, site, building, structure, or object included in, or determined eligible for inclusion in, the NRHP. Historic properties also include resources determined to be National Historic Landmarks. National Historic Landmarks are nationally significant historic places designated by the Secretary of the Interior because they possess exceptional value or quality in illustrating or interpreting United States heritage. A property is considered historically significant if it meets one of the NRHP criteria and retains sufficient historic integrity to convey its significance. The NHPA also established the Advisory Council on Historic Preservation, an independent agency responsible for implementing Section 106 of the NHPA by developing procedures to protect cultural resources included in, or eligible for inclusion in, the NRHP. Regulations are published in 36 CFR Parts 60, 63, and 800.

National Register of Historic Places

First authorized by the Historic Sites Act of 1935, the NRHP was established by the NHPA as “an authoritative guide to be used by federal, state, and local governments; private groups; and citizens to identify the nation’s cultural resources and to indicate what properties should be considered for protection from destruction or impairment.” The NRHP recognizes properties that are significant at the national, state, and local levels. Birthplaces, cemeteries, or graves of historical figures; properties owned by religious institutions or used for religious purposes; structures that have been moved from their original locations; reconstructed historic buildings; properties primarily commemorative in nature; and properties that have achieved significance within the past 50 years are typically not considered eligible for the NRHP, unless they satisfy certain conditions.

According to NRHP guidelines, the quality of significance in American history, architecture, archaeology, engineering, and culture is present in districts, sites, buildings, structures, and objects that possess and meet any of the following criteria:

- A. **Criterion A.** A property is associated with events that have made a significant contribution to the broad patterns of our history.
- B. **Criterion B.** A property is associated with the lives of persons significant in our past.
- C. **Criterion C.** A property embodies the distinctive characteristics of a type, period, or method of construction, or represents the work of a master, or possesses high artistic values, or represents a significant and distinguishable entity whose components may lack individual distinction.
- D. **Criterion D.** A property yields, or may be likely to yield, information important in prehistory or history.

The NRHP requires that a resource must not only meet one of these criteria, but must also possess integrity. Integrity is the ability of a property to convey historical significance. The evaluation of a resource’s integrity must be grounded in an understanding of that resource’s physical characteristics and how those characteristics relate to its significance. The NRHP recognizes seven

aspects or qualities that, in various combinations, define the integrity of a property: location, design, setting, materials, workmanship, feeling, and association.

Section 106 of the National Historic Preservation Act

Section 106 requires that effects on historic properties be taken into consideration in any federal undertaking. The process has four steps: (1) initiating the Section 106 process, (2) identifying historic properties, (3) assessing adverse effects, and (4) resolving adverse effects.

Section 106 affords the Advisory Council on Historic Preservation a reasonable opportunity to comment on any undertaking that would adversely affect historic properties. State Historic Preservation Officers (SHPOs) { TC "State Historic Preservation Officers (SHPOs)" \f A \l "1" } administer the national historic preservation program at the state level, review NRHP nominations, maintain data on historic properties that have been identified but not yet nominated, and advise and assist federal agencies in carrying out their Section 106 responsibilities.

33 CFR Part 325, Appendix C Procedures for the Protection of Historic Properties

Corps regulations for processing Department of the Army permits are located at 33 CFR Part 325, and Appendix C of 33 CFR Part 325 provides procedures for the protection of historic properties.

36 CFR Part 800, Protection of Historic Properties

The Advisory Council on Historic Preservation has also promulgated regulations at 36 CFR Part 800 to define how federal agencies meet Section 106 responsibilities.

Section 106 Compliance

The proposed project is a Section 106 undertaking as defined at 36 CFR § 800.16(y) because it requires a Federal Department of the Army permit from the Corps and a license from the Board. FRA may provide funding for the proposed rail line. The U.S. Coast Guard, under Section 9 of the Rivers and Harbors Act of 1899 (33 U.S.C. § 401), the General Bridge Act of 1946, as amended (33 U.S.C. § 525), and the U.S. Department of Transportation Act of 1966 (49 U.S.C. §§ 1651–1659), has authority to approve bridges over navigable waters of the United States. These activities would also constitute undertakings.

Description of Undertaking

The proposed rail line would extend 22.7 miles to connect CSX Transportation Inc.'s Charleston Subdivision, also known as the A-Line, via the Cross Subdivision at the Santee Cooper Cross Generating Station in Berkeley County, South Carolina, to the existing Camp Hall Commerce Park. The entire proposed rail line would be within Berkeley County, South Carolina. The proposed route would run south-southwest from the Cross Generating Station, cross the Diversion Canal between Lake Marion and Moultrie (via a proposed bridge), and run through the unincorporated community of Cross and south through pine plantations into Camp Hall Commerce Park (Figure 1). The proposed rail line would have two termination points within the Camp Hall Commerce Park—one within the Volvo Cars North America facility and one adjacent to Volvo Cars Drive and approximately 10,000 feet south of the crossing of Fish Road. The proposed project is intended to

bring rail service to the industrial park, to support the area's infrastructure needs, and to alleviate highway congestion involving large commercial trucks in the area.

The Applicant proposes to construct the rail line within a generally 100-foot-wide right-of-way during daytime hours (6 a.m. to 10 p.m.) over a period of 18 to 20 months (Palmetto Railways 2018a{ TC "Palmetto Railways 2018a" \f C \l "1" }). Construction of the rail line would include construction of one bridge crossing over the Diversion Canal. The bridge would be approximately 845 feet long (approximately 520 feet over water) and would provide a 100-foot-wide navigation channel and a 50-foot vertical clearance. The bridge would be supported by seven new bents (i.e., support structures). Four of the bents would be placed in the canal. The bridge surface would consist of 3-foot open-grating walkways on either side of a 16-foot-wide concrete ballast trough. The main span would be a steel through girder with a reinforced concrete ballast trough (Palmetto Railways 2018b{ TC "Palmetto Railways 2018b" \f C \l "1" }). The Applicant would install culverts for crossings of other waterways, including Bulltown Ditch and two county-maintained blue-line ditches, and to provide hydrologic connectivity in wetland areas and water drainage in other areas.

The Proposed Action would cross 10 public roads and approximately 40 private road crossings, and the Applicant would construct rail crossings for those roads. The Applicant would relocate several private roads to avoid rail crossings of those roads. In addition to roads, the Proposed Action would cross other existing infrastructure, such as water mains and electrical transmission lines. The Applicant would construct a small maintenance and office facility, anticipated to be located to the west of the track fork with the Camp Hall Commerce Park (Palmetto Railways 2018a{ TC "Palmetto Railways 2018a" \f C \l "1" }).

The Applicant would maintain the rail line to Class II standards with a maximum speed of 25 miles per hour (Palmetto Railways 2017c{ TC "Palmetto Railways 2017c" \f C \l "1" }). The Applicant anticipates transporting approximately 50,000 automobiles per year on five round trips (five transits or passbys loaded with freight [automobiles] and five passbys of unloaded trains) on the proposed rail line per week, for an average of 1.4 train passbys per day. The trains would operate with two GP-40-2 locomotives and approximately 30 bi-level and tri-level auto racks (Palmetto Railways 2017c, 2018a{ TC "Palmetto Railways 2017c, 2018a" \f C \l "1" }). As the Camp Hall Commerce Park develops and if additional tenants request rail service, the Applicant would increase train length before increasing train frequency. Other than Volvo Cars North America, no tenants of the Camp Hall Commerce Park that would use rail service have been identified at this time.

Section 106 Consultation Efforts

Identification of Consulting Parties, and Initiation of Consultation

The following table summarizes the joint lead agencies' Section 106 consultation efforts conducted to date, including initiating Section 106 consultation and identifying consulting parties.

Date	Activity	Description
July 28, 2017	Pre-initiation SHPO coordination regarding identification and evaluation	Applicant submitted "Phase 1 Cultural Resource Survey of the Camp Hall Railroad Build-In, Berkeley County, South Carolina" to SHPO.
September 8, 2017	SHPO consultation initiation	OEA formally initiated Section 106 consultation with SHPO.

Date	Activity	Description
September 28, 2017	Coordination with SHPO	OEA acknowledged SHPO's prior comments as provided to Applicant.
October 2017	SHPO coordination regarding identification and evaluation of historic properties	Applicant submitted a revised report incorporating SHPO comments on a July 2017 draft.
November 7, 2017	Pre-consultation meeting	SHPO and Applicant met to discuss next steps. OEA, the Corps, and the U.S. Coast Guard participated via teleconference.
November 21, 2017	Information request from SHPO to Applicant	SHPO requested supplemental information from Applicant regarding Phase 1 Report.
March 7, 2018	Interagency meeting	
March 26, 2018	Email from SHPO to Applicant	SHPO followed up on request for supplemental information from Applicant.
April 4, 2018	Public Notice	The Corps and the South Carolina Department of Health and Environmental Control, Water Quality Certification and Wetlands Section issued a joint public notice regarding a Department of the Army permit application submitted by the Applicant for permission "to discharge fill material into waters of the U.S., including wetlands associated with Bulltown Ditch, the Diversion Canal (between Lake Marion and Lake Moultrie), and tributaries to Caton Creek and Black Creek." A wide range of interested parties received the Public Notice, or a letter informing them of the project and how to access the Public Notice.
April 25, 2018	Coordination with SHPO	OEA requested SHPO assistance in developing a list of potential additional consulting parties.
May 18, 2018	Invitation to Section 106 Consultation	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.
May 18, 2018	Invitation to Section 106 Consultation	OEA formally invited the following entities to consult under Section 106: Berkeley County Historical Society, Berkeley North Historical Society, Berkeley County Museum and Heritage Center, Lord Berkeley Conservation Trust, Old Santee Canal Park, Palmetto Conservation, and Santee Cooper.
May 18, 2018	Invitation to Section 106 Consultation	OEA formally invited the following agencies to consult under Section 106: Federal Energy Regulatory Commission, FRA, U.S. Coast Guard, United States Department of Agriculture, U.S. Environmental Protection Agency, U.S. Fish and Wildlife Service, and University of South

Date	Activity	Description
		Carolina/South Carolina Institute of Archaeology and Anthropology.
May 29, 2018	Consulting party participation	U.S. Fish and Wildlife Service indicated that it will participate as a consulting party in the Section 106 process.
June 13, 2018	Designation of collective responsibilities under Section 106.	OEA designated the Corps as the lead federal agency for fulfilling the collective OEA and Corps responsibilities under Section 106.
July 6, 2018	Section 106 information is provided to U.S. Fish and Wildlife Service	Applicant and Corps provided the Phase I Cultural Resources Survey of the Proposed Camp Hall Railroad Build-in, Berkeley County, South Carolina, Final Report, dated October 2017.
July 12, 2018	Designation of collective responsibilities under Section 106.	FRA designated the Corps as the lead federal agency for fulfilling the collective responsibilities under Section 106.

Identification of Historic Properties

In 2017, the Applicant engaged Amec Foster Wheeler and S&ME (Applicant's Consultant Team){ TC "Amec Foster Wheeler and S&ME (Applicant's Consultant Team)" \f A \l "1" } to conduct a Phase 1 cultural resource survey, including archaeological and aboveground resources, of the proposed rail corridor and to prepare a report summarizing their findings (Phase 1 Report). In July 2017, the Applicant submitted the Phase 1 Report to SHPO, requesting concurrence with its determinations and findings. In August 2017, SHPO concurred with the determinations of NRHP eligibility contained within the Phase 1 Report but requested minor technical corrections to the documentation. A revised Phase 1 Report was prepared in October 2017 and submitted to SHPO.

The methodology and conclusions of the Phase 1 Report are summarized below. The effects analysis contained within this document relies entirely upon the identification effort described within the Phase 1 Report.

Study Area

The Area of Potential Effects (APE){ TC "Area of Potential Effects (APE)" \f A \l "1" }, defined at 36 CFR § 800.16(d), is the geographic area or areas within which an undertaking may directly or indirectly cause alterations to the character or use of historic properties, if any such properties exist. Subsets of the APE are often defined for Section 106 analysis of archaeological sites versus aboveground resources. This is due to differences in the nature of the resources and their sensitivity to effects. The study area that the Applicant used for identification of historic properties is discussed below under *Survey Area*. The APE for this undertaking is defined below under *Effects Analysis*.

Survey Area

Archaeology

The Survey Area for archaeological field work included a 200 foot study area for the 23-mile proposed rail corridor (AMEC Foster Wheeler 2017: TC "AMEC Foster Wheeler 2017" \f C \l "1" }). This is broader than the generally 100-foot right-of-way of the proposed project.

Aboveground resources

The Survey Area for aboveground resources survey included the same area as for archaeology as well as areas of potential indirect impacts within a zone of around 0.5 mile from the centerline of the proposed corridor (AMEC Foster Wheeler 2017: TC "AMEC Foster Wheeler 2017" \f C \l "1" }).

Records Search

Prior to field survey, the Applicant's Consultant Team conducted a search of the official records of the South Carolina Institute of Archaeology and Anthropology and the South Carolina Department of Archives and History. The purpose of this research was to identify previously recorded cultural resources within the APE or in its vicinity.

At the time of the records search, no archaeological sites had been previously recorded within the Survey Area. The records search area, however, covered a 1 kilometer radius. Within that radius, the Applicant's Consultant Team discovered documentation of 13 previously recorded archaeological sites. Although 12 of these sites have been recommended as NRHP eligible, no SHPO concurrence with these determinations was available.

The Applicant's Consultant Team identified eight previously recorded aboveground resources within the Survey Area. Of these resources, five are structures, two are cemeteries, and one is a canal. Seven of these resources were recommended as NRHP ineligible. One resource, the Diversion Canal, has been determined NRHP eligible with SHPO concurrence. The Diversion Canal, which connects Lakes Marion and Moultrie, contributes to an NRHP-eligible district associated with the development of a 1930s hydroelectric project, the Santee Cooper Hydroelectric Project. It was not identified as individually NRHP eligible.

Field Survey

Archaeological Survey

Methodology

The Applicant's Consultant Team survey methodology for archaeological field work within the Survey Area:

"included pedestrian inspection and regular interval shovel testing throughout the survey corridor. Shovel testing was conducted along two survey transects that span the entire 23-mile by 200-foot-wide corridor. Tests were placed at 30-meter intervals within locations mapped as uplands with relatively good soil drainage. Areas that were mapped as hydric or poorly drained were confirmed through subsurface investigation and subjected to visual inspection. As a result of the archaeological survey, it was determined that much of the project area was characterized by hydric or frequently flooded soils, despite the fact that they were mapped as well drained. Perusal of historic topographic maps indicated that many of the areas mapped as upland were historically wetlands. Ditches and

channelized streams have been used to drain many of these areas for silviculture and the construction of Lakes Marion and Moultrie have affected the hydrological landscape extensively” (AMEC Foster Wheeler 2017:ii{ TC "AMEC Foster Wheeler 2017" \f C \l "1" }).

Results and Recommendation

As reported in the Phase 1 Report, “No archaeological sites or isolated finds were encountered within the proposed railway corridor and no further archaeological investigation is recommended for this railway alignment as it is currently proposed” (AMEC Foster Wheeler 2017:ii{ TC "AMEC Foster Wheeler 2017" \f C \l "1" }). In August 2017, SHPO concurred with the determinations of NRHP eligibility contained within the Phase 1 Report.

Aboveground Resources Survey

Methodology

In addition to the Records Search described under *Records Search*, the aboveground resource identification methodology also included research at local repositories and development of a historic context, which is included in the Phase 1 Report. Intensive level aboveground resources field survey of the Survey Area occurred in December 2016 within 0.5 mile of the proposed railroad centerline, which includes the entire archaeological survey area. The field survey proceeded in accordance with the *Survey Manual: South Carolina Statewide Survey of Historic Places* and *National Register Bulletin 24: Guidelines for Local Surveys: A Basis for Preservation Planning*. Survey field crews from the Applicant’s Consultant Team “drove all roads within and adjacent to the Survey Area and conducted pedestrian survey on all potential architectural resources,” include the eight previously recorded resources (AMEC Foster Wheeler 2017:38{ TC "AMEC Foster Wheeler 2017" \f C \l "1" }). The Applicant’s Consultant team “evaluated the integrity of each identified historic ... resource... [and those] that retained sufficient integrity were recorded” (AMEC Foster Wheeler 2017:38{ TC "AMEC Foster Wheeler 2017" \f C \l "1" }). Statewide Survey of Historic Resources site forms were prepared for each resource.

Results

As a result of verification in the field, the Applicant’s Consultant affirmed the NRHP ineligible determination for seven of the previously recorded resources within the Survey Area. Similarly, it confirmed the NRHP-eligible status of the Diversion Canal as a contributor to the Santee-Cooper Hydroelectric Project historic district. This resource is described below under *Diversion Canal* in the *Historic Properties Identified* section.

During the field survey effort, 53 additional resources were documented. Of these 53, the Applicant’s Consultant Team identified two as NRHP eligible: the Garrett Cemetery and the Bulltown Ditch. They are described below under *Historic Properties Identified*. In August 2017, SHPO concurred with the determinations of NRHP eligibility contained within the Phase 1 Report.

Historic Properties Identified

Diversion Canal

The Diversion Canal located within the more narrowly focused aboveground resource APE is a contributing feature to the Santee Cooper Hydroelectric Project, a historic district identified by the Federal Energy Regulatory Commission in 2002 with SHPO concurrence. The following summary is

based upon the *Cultural Resources Survey Santee Cooper Hydroelectric Project* report (Mead & Hunter 2002{ TC "Mead & Hunter 2002" \f C \l "1" }).

A massive public works project funded by the federal Public Works Administration between 1938 and 1953, the Santee Cooper Hydroelectric Project's goals included "rural electrification, improvements in general health conditions, and the eradication of malaria in the Santee watershed" (Mead & Hunter 2002:6{ TC "Mead & Hunter 2002" \f C \l "1" }).



Photograph 1 Diversion Canal, View North.

The project was neither easy to build nor without controversy. The South Carolina General Assembly created the Santee Cooper Hydroelectric Project in 1934 with "the power to produce electricity, develop inland navigation on the Santee, Cooper, and Congaree Rivers; reclaim swamps; and reforest watersheds" (Mead & Hunter 2002:9{ TC "Mead & Hunter 2002" \f C \l "1" }). Some stakeholders, including private utility companies, objected to state government involvement in power generation and distribution. Legal challenges mounted by owners whose land would be flooded by project implementation, including some whose families had owned the land for many generations and others who were former slaves or their descendants who acquired the land after

emancipation, played out until 1939. With land acquisition and topographic surveys complete, the project broke ground in 1938 (Mead & Hunt 2002:9–10{ TC "Mead & Hunt 2002" \f C \l "1" }).

Consisting of a large system of dams and dikes designed to harness the power of the Santee and Cooper Rivers, the Santee Cooper Hydroelectric Project's construction involved clearing of 190,000 acres of land, cutting of 200 million feet of timber, excavation of 42 million cubic feet of earth, and pouring of 3.1 million cubic yards of concrete. Construction proceeded quickly, with the Jeffries Powerhouse completed in 1942 and Santee Spillway Hydroelectric Unit completed in 1950 (Mead & Hunt 2002:6, 10{ TC "Mead & Hunt 2002" \f C \l "1" }).



Photograph 2 Diversion Canal, view southeast

Historic District

The historic district associated with the Santee Cooper Hydroelectric Project was determined eligible for listing in the NRHP in 2002 under Criterion A at the local and state levels of significance and Criterion C at the state and national levels of significance. Its period of significance is 1942 to 1950 (Mead & Hunt 2002:23{ TC "Mead & Hunt 2002" \f C \l "1" }).

Under Criterion A, the historic district is NRHP eligible based in its association with the development of hydroelectric power, its role in bringing electrical service to a previously unserved area, and as the largest New Deal project in the state (Mead & Hunt 2002:23{ TC "Mead & Hunt 2002" \f C \l "1" }).

Under Criterion C, the historic district is NRHP eligible as a 1930s hydroelectric power facility and as an engineering achievement. “At the time of its construction, Santee Cooper formed the largest impoundment by surface area in the world... Today, the impoundment remains the largest in the country” (Mead & Hunt 2002:23{ TC "Mead & Hunt 2002" \f C \l "1" }). An “internationally recognized engineering accomplishment at the time it was constructed, [it] remains one of the country’s great engineering feats and possesses exceptional importance as an engineering landmark” (Mead & Hunt 2002:23{ TC "Mead & Hunt 2002" \f C \l "1" }).

The Santee Cooper Hydroelectric Project’s contributing components include Pinopolis Dam, Jeffries Powerhouse, Pinopolis Lock, West Dam, West Dike, East Dam and East Dam Extension, East Dike, North Dike, Auxiliary Buildings (3), Santee Dam, Santee Spillway Hydroelectric Unit, Santee Spillway, Santee North Dam, Santee South Dam, Diversion Canal, and Tailrace Canal (Mead & Hunt 2002:10, 17–21). Character-defining features of the historic district are not specified in detail in the *Cultural Resources Survey Santee Cooper Hydroelectric Project*. Based on the nature of Santee Cooper Hydroelectric Project’s significance, however, its character-defining features include these contributing elements along with their spatial, functional, structural and historical relationships to one another.

The Diversion Canal was constructed in 1942. It extends 5 miles, connecting Lake Marion (covering 110,000 acres) to Lake Moultrie (covering 60,000 acres), which were both created by the implementation of the Santee Cooper Hydroelectric Project. Water from the Santee River impounded by the Santee Dam exits Lake Marion through the Diversion Canal and into Lake Moultrie. Four hundred feet wide at its surface, the Diversion Canal narrows to 200 feet at the bottom. Currently, one bridge carrying Route 45 crosses the Diversion Canal.

Because it lacks distinction to be individually eligible, the Diversion Canal’s primary importance is the physical and historical role it plays in the functioning of the hydroelectric project overall.

Cultural or Historic Landscape

The 2002 *Cultural Resources Survey Santee Cooper Hydroelectric Project* did not evaluate the historic district as a potential cultural landscape. In order to analyze the fullest possible range of potential effects of the current project, this Finding of Effect considered the Santee Cooper Hydroelectric Project as a potential cultural landscape, which the National Park Service defines as "a geographic area including both cultural and natural resources and the wildlife or domestic animals therein, associated with a historic event, activity, or person or exhibiting other cultural or aesthetic values" (Birnbaum 1994{ TC "Birnbaum 1994" \f C \l "1" }).

The National Park Service further defines four types of cultural landscapes: historic sites, historic designed landscapes, historic vernacular landscapes, and ethnographic landscapes (Birnbaum 1994). Of these types, Santee Cooper Hydroelectric Project aligns most closely to a historic site, which the National Park Service describes as “a landscape significant for its association with a historic event, activity, or person” (Birnbaum 1994{ TC "Birnbaum 1994" \f C \l "1" }).

Cultural landscapes “are composed of a number of character-defining features which, individually or collectively contribute to the landscape’s physical appearance as they have evolved over time. In addition to vegetation and topography, cultural landscapes may include water features, such as ponds, streams, and fountains; circulation features, such as roads, paths, steps, and walls; buildings; and furnishings, including fences, benches, lights and sculptural objects” (Birnbaum 1994{ TC "Birnbaum 1994" \f C \l "1" }).

The South Carolina Department of Archives and History has promulgated *Guidance for Assessing Visual and Indirect Effects to Historic Landscapes*. The South Carolina Department of Archives and History's definition of a historic landscape states that "landscapes can be formally designed, like the gardens at Middleton Place or can be vernacular places, such as rural farmsteads. Historic landscapes usually include both natural and cultural features, such as the Georgetown County Rice Culture Historic District which includes rivers and historic rice fields. Landscapes can also be associated with important events" (South Carolina Department of Archives and History 2018{ TC "South Carolina Department of Archives and History 2018" \f C \l "1" }). This association with events could include the Santee Cooper Hydroelectric Project,

According to South Carolina Department of Archives and History, "common characteristics of historic landscapes include engineering, [which] applies where the landscape and its uses reflect the practical application of scientific principles to serve human needs, such as transportation usage. Landscapes can also reflect agricultural use or industrial use," such as the Santee Cooper Hydroelectric Project. (South Carolina Department of Archives and History 2018{ TC "South Carolina Department of Archives and History 2018" \f C \l "1" }).

Associated with the important historical events represented by the Public Works Administration and the electrification of the region, the Santee Cooper Hydroelectric Project would be appropriately classified as an engineering landscape. Innovatively harnessing the dynamic hydrology of the region to provide electricity for the first time to households across the region, the project transformed the physical landscape by creating water features such as Lakes Marion and Moultrie and introducing massive structures such as the associated dams.

The character-defining features of the Santee Hydroelectric Project as a cultural or historic landscape overlap with those of the historic district: Pinopolis Dam, Jeffries Powerhouse, Pinopolis Lock, West Dam, West Dike, East Dam and East Dam Extension, East Dike, North Dike, Auxiliary Buildings (3), Santee Dam, Santee Spillway Hydroelectric Unit, Santee Spillway, Santee North Dam, Santee South Dam, Diversion Canal, and Tailrace Canal. Lakes Moultrie and Marion would also be character-defining features of the Santee Cooper Hydroelectric Project as a historic or cultural landscape.

The significance of the landscape does not derive from its visual qualities, but rather in its ambitious design, innovative functioning, and transformative impact on the region. The spatial relationships among the character-defining features and their interrelated functionality convey the landscape's significance rather than views to and/or from these elements.

Bulltown Ditch

Shown on topographic maps as approximately 3.5 miles in length, the Bulltown Ditch is located east of the Diversion Canal, between Lakes Marion and Moultrie and may be associated with the Santee Canal (Amec Foster Wheeler 2017:125{ TC "Amec Foster Wheeler 2017" \f C \l "1" }). Developed between 1793 and 1800, the Santee Canal connected the Santee River to the Cooper River in order to move goods from the inland Santee basin and Charleston. The Santee Canal was 22 miles long with tow paths on either side. With a width of 35 feet at the top, the canal tapered to a width of 20 feet at the bottom. Its depth was 5.5 feet and the water level was 4 feet. Designed with a series of locks, it was considered highly advanced at the time of design and construction. A series of droughts in the period between 1817 and 1819 revealed flaws in the canal's design and it was never financially successful as projected. A railroad serving the area was constructed between 1840 and 1853. By 1855, the canal was abandoned (Wylie and Chamberlain 1981{ TC "Wylie and Chamberlain

1981" \fC \l "1" }). The construction of the Santee Cooper Hydroelectric Project, including the creation of Lakes Marion and Moultrie, resulted in inundation of extensive areas of the Santee Canal.



Photograph 3 Bulltown Ditch, View North

A 1921 topographic map shows the Bulltown Ditch as entering the Santee Canal. The Diversion Canal may be a component of either a feeder or overflow system of the Santee Canal. “Although it is no longer a functioning part of the Santee Canal system, the Bulltown Ditch is a recognizable landscape feature associated with the system and has undergone little alteration in appearance since its original construction. The Bulltown Ditch is currently crossed by a railroad line and a transmission line but as these do not alter fundamental characteristics of the ditch, they do not compromise its overall integrity” (Amec Foster Wheeler 2017:128{ TC "Amec Foster Wheeler 2017" \fC \l "1" }).

The Bulltown Ditch is NRHP eligible under Criterion A for its association with the Santee Canal transportation system which was designed to facilitate trade and Criterion C for its engineering as part of the Santee Canal system (Amec Foster Wheeler 2017:128{ TC "Amec Foster Wheeler 2017" \fC \l "1" }).

Garrett Cemetery

Located in a grove of trees with a boundary delineated by rope fence and a ditch, the Garrett Cemetery consists of 12 marked burials. The burial markers consist of a combination of stone, wood, and brick. A few markers are whitewashed. Most do not have identifiers carved in them. One stone

shows the letter “G” and another reads “J.C. Garrett, Died 1878.” Although the identifying features are few, “the markers and the grave goods indicate that the Garrett Cemetery is an African-American cemetery that dates to the second half of the nineteenth century” (Amec Foster Wheeler 2017:122{ TC "Amec Foster Wheeler 2017:122" \f C \l "1" }).



Photograph 4 Garrett Cemetery, View northeast.

The Garrett Cemetery is NRHP eligible under Criterion A as “reflective of a specific cultural and historical period that helped shape the broad patterns of the history of Berkeley County,” under Criterion C for its “distinctive grave markers that are reflective of African-American family cemeteries,” and Criterion D for its information potential (Amec Foster Wheeler 2017:124–125{ TC "Amec Foster Wheeler 2017:124–125" \f C \l "1" }).

Effects Analysis

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 will focus on the APE, as defined at 36 CFR Part 800.16(d).

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.

Archaeology

The APE for archaeological sites was defined as the project footprint² plus a 100-foot-wide buffer zone on either side of the edge of the project footprint. A 100-foot-wide buffer allows archaeologists to encounter and record any resources that are adjacent to, as well as within, the project footprint, resulting in a sample of what sites are present in and near the proposed project footprint,

Aboveground Resources

The APE for aboveground historic properties (historic buildings, structures, sites, objects, landscapes and districts) has been defined as the project footprint plus a 200-foot buffer on either side of the project footprint measured from its outermost edge. Alterations to the hydrologic landscape which change the area's original setting, coupled with the presence of pines that serve as visual screens, allow analysis of the full range of potential impacts on aboveground resources, which can include demolition, construction and operation impacts, and impacts caused by changes to the visual and auditory setting of the resource to be accounted for within this APE.

Appendix A provides a detailed map depicting the APE for archaeology and aboveground resources

Assessment of Adverse Effects

The following section addresses the proposed project and its potential effects on historic properties. Each proposed project component was considered to determine if the undertaking would alter, directly or indirectly, any of the characteristics of a historic property that qualifies it for inclusion in the NRHP. For any properties within the APE that are listed in or are eligible for inclusion in the NRHP, the Section 106 Criteria of Adverse Effect were applied in accordance with 36 CFR § 800.5.

As set forth in 36 CFR § 800.5(a)(1), "an adverse effect is found when an undertaking may alter, directly or indirectly, any of the characteristics of a historic property that qualify the property for inclusion in the [NRHP] in a manner that would diminish the integrity of the property's location, design, setting, materials, workmanship, feeling, or association. Consideration shall be given to all qualifying characteristics of a historic property, including those that may have been identified subsequent to the original evaluation of the property's eligibility for the [NRHP]. Adverse effects may include reasonably foreseeable effects caused by the undertaking that may occur later in time, be farther removed in distance or be cumulative."

Examples of adverse effects are set forth in 36 CFR § 800.5(a)(2).

Typical Activities and Associated Potential Adverse Effects

Construction and operation of a new rail line involves a variety of activities with the potential to affect historic properties. Examples of these activities and their associated potential effects include, but are not limited to:

² The project footprint includes multiple aspects of the project that may or may not be completely in the right-of-way. The project footprint is a compilation of the right-of-way, disturbance footprint, bridge, rail yard, sidings, and the rail alignment.

- Preparing previously undisturbed land for staging and construction of railroad right-of-way—including grading, cuts, and excavating earth and rock—has the potential to physically damage, destroy, or move historic properties within the path of construction or staging.
- Rerouting of linear historic roads, trails, and water conveyance, drainage, or irrigation features could result in an alteration that is inconsistent with the Standards for Rehabilitation.
- Soil compression resulting from construction of access roads or railbed can result in physical damage to or destruction of subsurface historic properties.
- For a property whose setting contributes to its significance, relocation of roads can result in a change to the character or use of a historic property.
- Use of heavy construction equipment near historic properties sensitive to temporary visual, noise, vibration, or atmospheric effects can diminish the integrity of such properties.
- Changes in water flow resulting from introduction of new structures or features associated with railroad (such as culverts or railbeds) could cause flooding of eligible buildings or water features.
- New visual elements introduced to the landscape such as tracks, sidings, trestles, bridges, communication towers, and power lines can affect historic properties that rely on viewsheds to convey significance.
- New noise effects from the operation of a railroad could affect historic properties that rely on a quiet setting to convey significance.
- Vibratory effects from the operation of a new railroad could affect historic properties whose construction or materials render them vulnerable to such effects.

Application of the Section 106 Criteria of Adverse Effect

In this section, the Section 106 criteria of adverse effect is applied to the typical activities and proposed project elements that comprise the undertaking, and their potential effects on historic properties in the APE. It also takes into account avoidance and minimization measures the Applicant has incorporated to avoid potential adverse effects on historic properties. In accordance with 36 CFR § 800.5(b), a finding of “no adverse effect” may be proposed if “conditions are imposed, such as the subsequent review of plans for rehabilitation by the [SHPO] to ensure consistency with the Secretary’s [of the Interior] Standards for the Treatment of Historic Properties (36 CFR part 68) and applicable guidelines, to avoid adverse effects.”

Diversion Canal: No Adverse Effect

The proposed new railroad will be carried over the 400-foot Diversion Canal by a newly constructed bridge. The location of the Diversion Canal as it relates to the APE is shown in Figure 2.

The proposed new six-span bridge would cross the Diversion Canal with an overwater area of approximately 11,730 square feet. The overwater distance of the bridge is approximately 520 linear feet. The bridge would be supported by seven new support structures, known as bents, that each consist of two 8-foot, 6-inch diameter supports. Four of the bents totaling 453.6 square feet would be placed in the canal. No other structures, such as riprap or bank armoring, are proposed to be constructed in the banks of the canal. The overall bridge design is modeled generally on the existing Highway 45 bridge that currently crosses the Diversion Canal approximately 1 mile north of the

proposed new crossing (Palmetto Railways 2018a, 2018b, 2018c, 2018d{ TC "Palmetto Railways 2018a, 2018b, 2018c, 2018d" \f C \l "1" }).

NRHP eligible for its role in the bringing electricity to the region (Criterion A) and as an impressive engineering achievement (Criterion C), the Santee Cooper Hydroelectric Project historic district to which the Diversion Canal contributes relies on its individual components and their relationships to one another to convey significance. Similarly, to the extent that the Santee Cooper Hydroelectric Project is NRHP-eligible as a cultural or historic landscape, its significance is conveyed by its individual components, the spatial relationships among them, and their collective use and operation.

While the construction of new railroad infrastructure (including installation of railbed, signaling apparatus, bridges and culverts) has the potential to directly affect the structural integrity of the canal, the Applicant's current plans include stabilization measures and best management practices designed to avoid effects of this nature (Palmetto Railways 2018c{ TC "Palmetto Railways 2018c" \f C \l "1" }). Due to the nature of engineering and historical importance, the canal's significance is not adversely affected by auditory or vibratory effects. Nevertheless, the Applicant has developed measures to minimize any such effects during construction. These measures are memorialized in a Mitigation Plan (Palmetto Railways 2018d{ TC "Palmetto Railways 2018d" \f C \l "1" }).³

³ Mitigation Plan included with Department of the Army permit application.

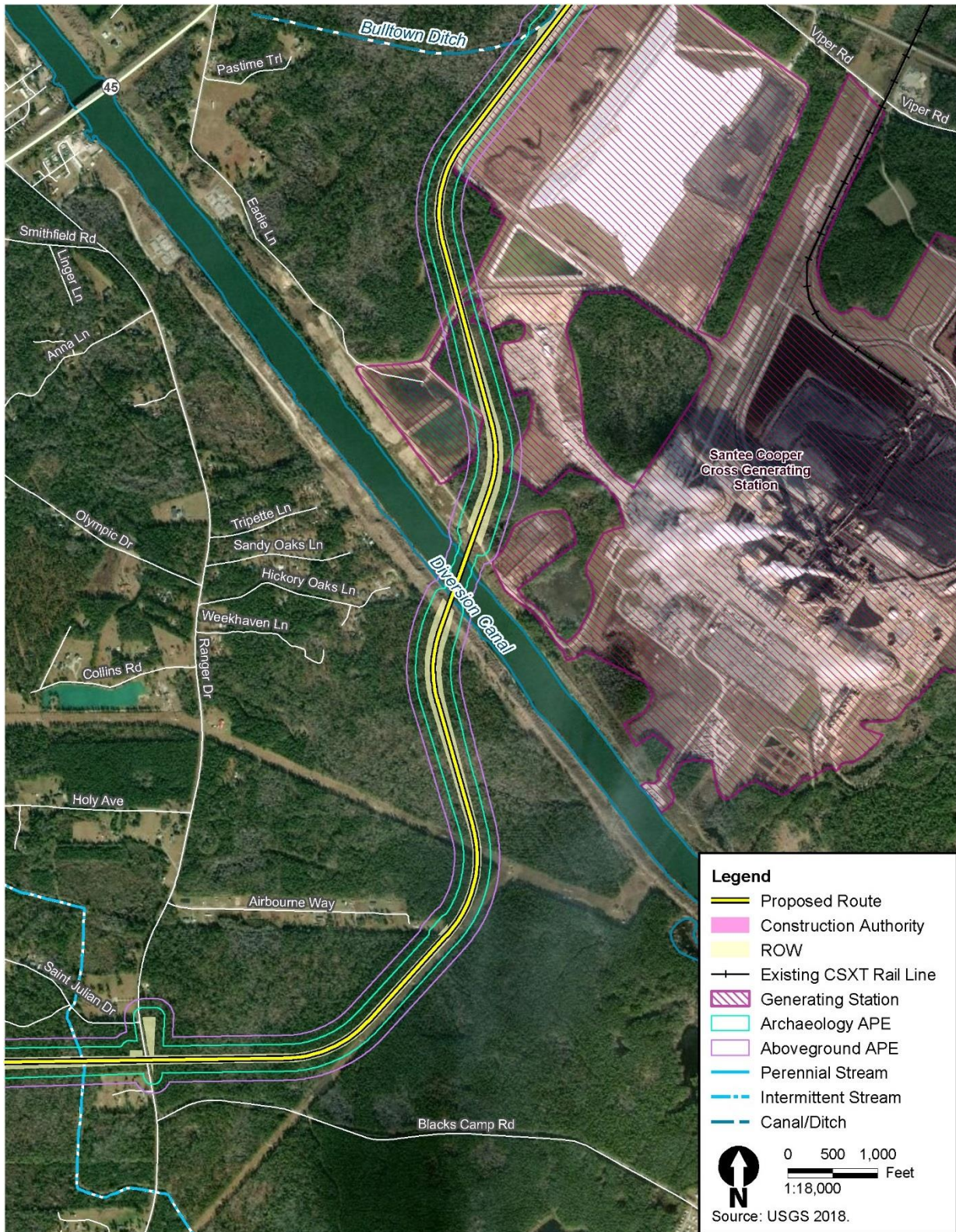


Figure 2. Diversion Canal

Because aesthetic qualities of the Diversion Canal are not among the features that convey its significance, indirect temporary or permanent visual effects introduced by the proposed new bridge would not be adverse. The Diversion Canal relies on its functionality and relationship to other Santee Cooper Hydroelectric Project components to convey significance. For historic landscapes that rely on “aesthetic qualities” or “scenic views to or from,” South Carolina Department of Archives and History recommends the introduction of an “opaque vegetative barrier” to “minimize adverse visual impacts to historic sites”(South Carolina Department of Archives and History 2018{ TC "South Carolina Department of Archives and History 2018" \f C \l "1" }). However, since visual characteristics are not what make the Diversion Canal and Santee Cooper Hydroelectric Project eligible for listing in the NRHP, this impact minimization technique is not indicated.

Bulltown Ditch: No Adverse Effect

The proposed new railroad will cross a section of the Bulltown Ditch that is already crossed by an existing railroad line and an electrical transmission line (Amec Foster Wheeler 2017:129{ TC "Palmetto Railways 2018d" \f C \l "1" }). The location of the Bulltown Ditch as it relates to the APE is shown in Figure 3.

The proposed crossing structure at Bulltown Ditch is a three-barrel culvert. The Bulltown Ditch relies on its association with the Santee Canal for its significance, which is tied to its role as a transportation corridor and an engineering achievement. Temporary or permanent visual or noise effects would, therefore, not be adverse because neither its visual qualities nor a quiet setting are essential to understanding the historic property.

While the proposed project would cross a section of the Bulltown Ditch already impacted by an existing CSX Transportation Inc. railroad line and a transmission easement, construction of new railroad infrastructure still has the potential to affect the structural integrity of the canal. Current conditions include an existing culvert system, which the Applicant proposes to extend. The Applicant has proposed stabilizing the ditch’s bank during construction, which will avoid a direct adverse effect to the physical and structural integrity of the ditch (Palmetto Railways 2018d:8{ TC "Palmetto Railways 2018d" \f C \l "1" }).

The ditch will run parallel to the proposed rail alignment at a distance of approximately 150 feet. This distance is adequate to buffer the ditch from construction or operation impacts (Palmetto Railways 2018d:8{ TC "Palmetto Railways 2018d" \f C \l "1" }).

The nature of this historic property is not vulnerable to vibratory effects, and none are anticipated.

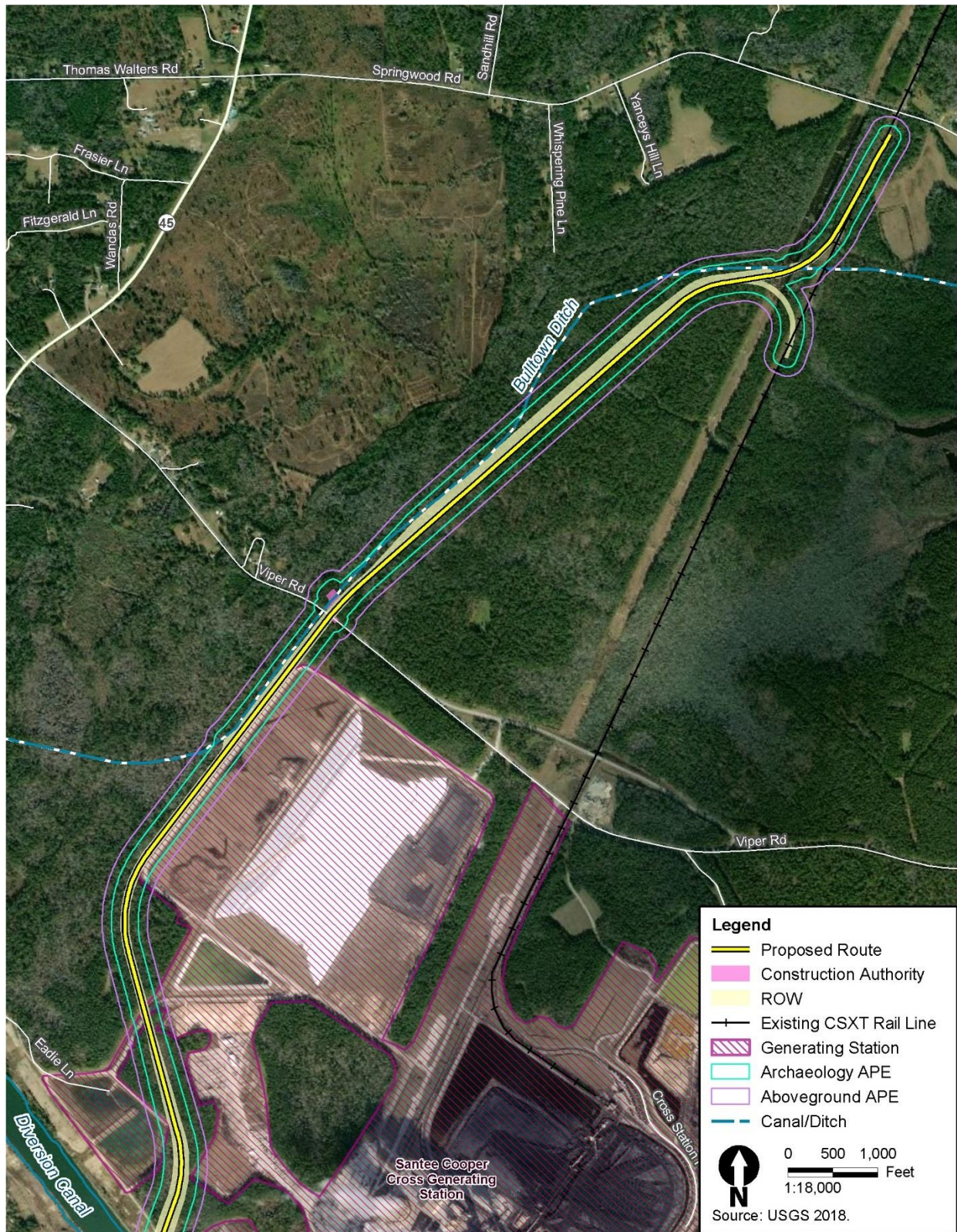


Figure 3. Bulltown Ditch

Garrett Cemetery: No Adverse Effect

The proposed right-of-way is located approximately 120 feet from the Garrett Cemetery. Its essential character-defining features are physical. The location of the Garrett Cemetery as it relates to the APE is shown in Figure 4.

Because of the distance of the historic property from the construction and operation of the proposed railroad, the grave markers that convey the cemetery's significance will not be directly affected. Visual and auditory setting are not essential to conveying the Garrett Cemetery's significance, but constitute an important aspect of its integrity. Temporary and permanent changes of setting, including the construction and operation of the railroad, therefore have the potential to affect the Garrett Cemetery. In order to avoid any potential effects, the Applicant's Consultant Team recommended, and SHPO concurred, that a 50-foot buffer be established around the cemetery. Based on the Applicant's current project design, the "Garrett Cemetery is located outside the area where construction and operation activities would occur and ... [proposed project activities] will more than comply with the 50 foot buffer established around the resource" (Palmetto Railways 2018d:7{ TC "Palmetto Railways 2018d" \f C \l "1" }).

Conditions

The proposed project appears to generally respect the historic character and integrity of the existing historic properties. Nevertheless, conditions shall 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.

If previously unknown or unevaluated buildings, structures, objects, districts, archeological sites, human remains, funerary artifacts, or associated artifacts are discovered during construction of the undertaking, the Applicant will immediately cease all work and notify the Corps. The Corps will reinitiate the Section 106 process including consultation with SHPO, interested parties, and interested federally recognized tribes to determine whether the discovery constitutes an NRHP-eligible historic property, to analyze whether an adverse effect is posed by the undertaking, and to develop appropriate resolution, as needed.

Conclusions and Recommendations

With respect to archaeology, no archeological sites (as historic properties) were identified within the APE. No additional work is recommended.

With regard to aboveground historic properties in the APE, no adverse effect to historic properties is anticipated.

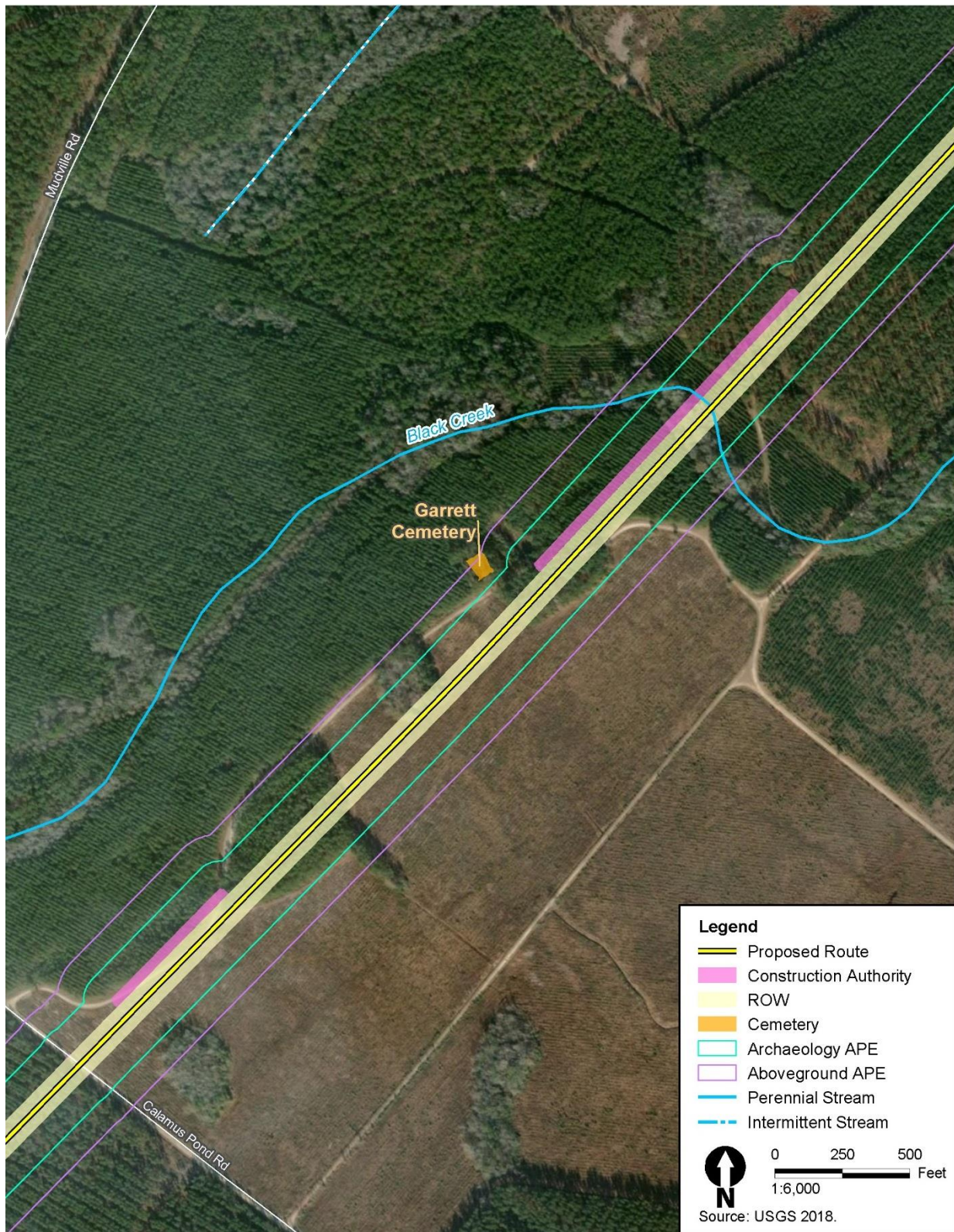


Figure 4. Garrett Cemetery

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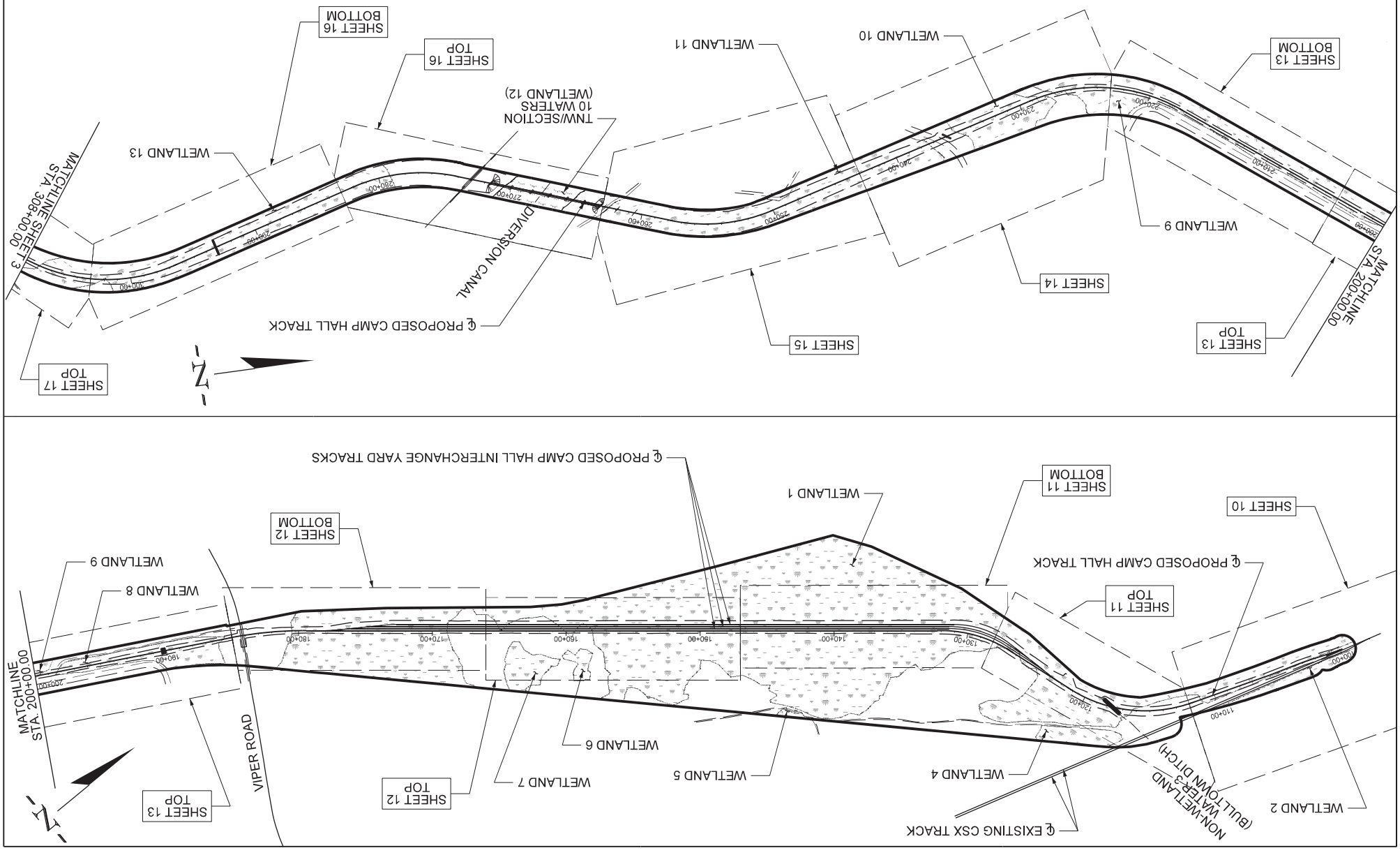
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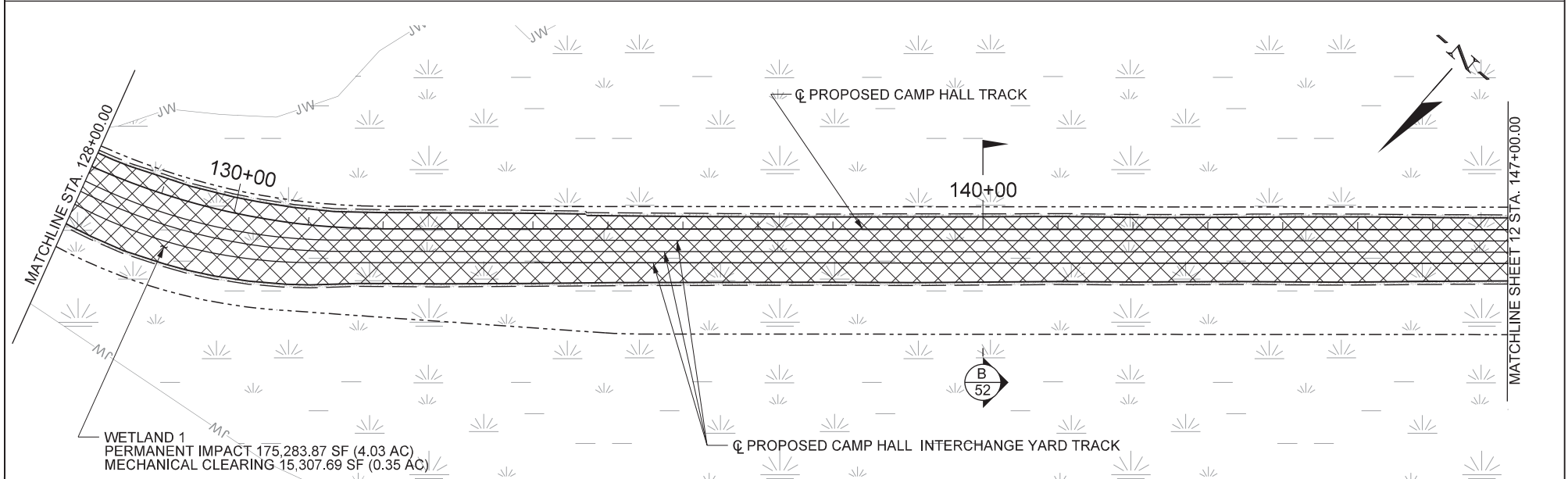
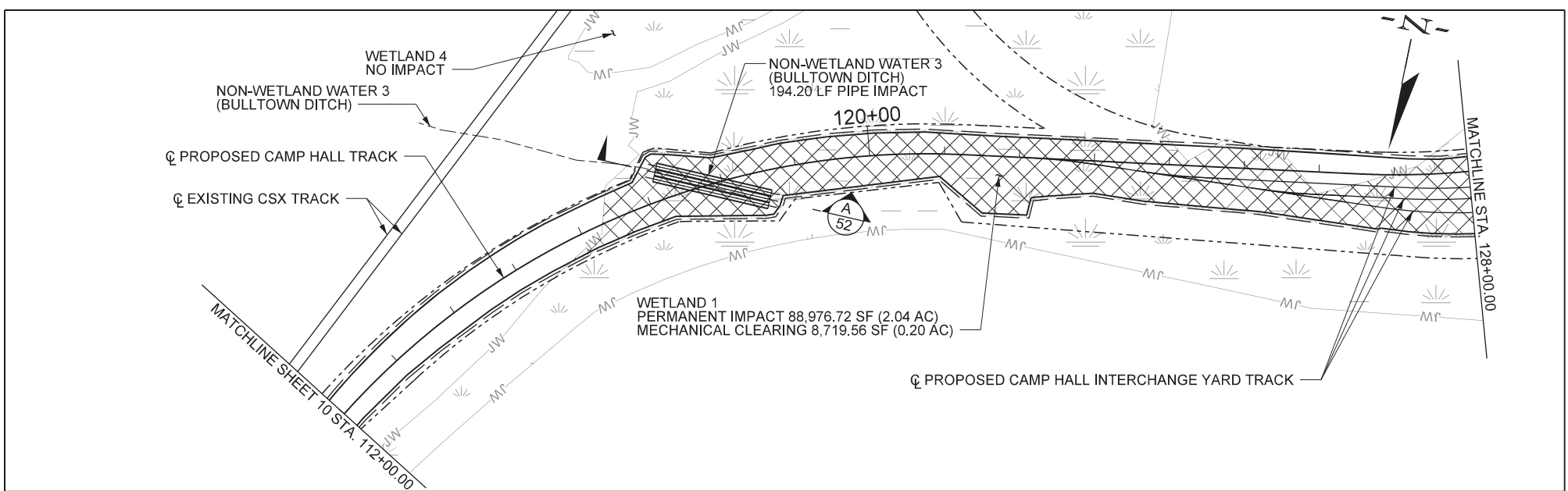
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- JD BOUNDARY
- EXISTING ROAD
- NON-WETLAND WATERS
- LIMITS OF DISTURBANCE
- PROPOSED ROAD

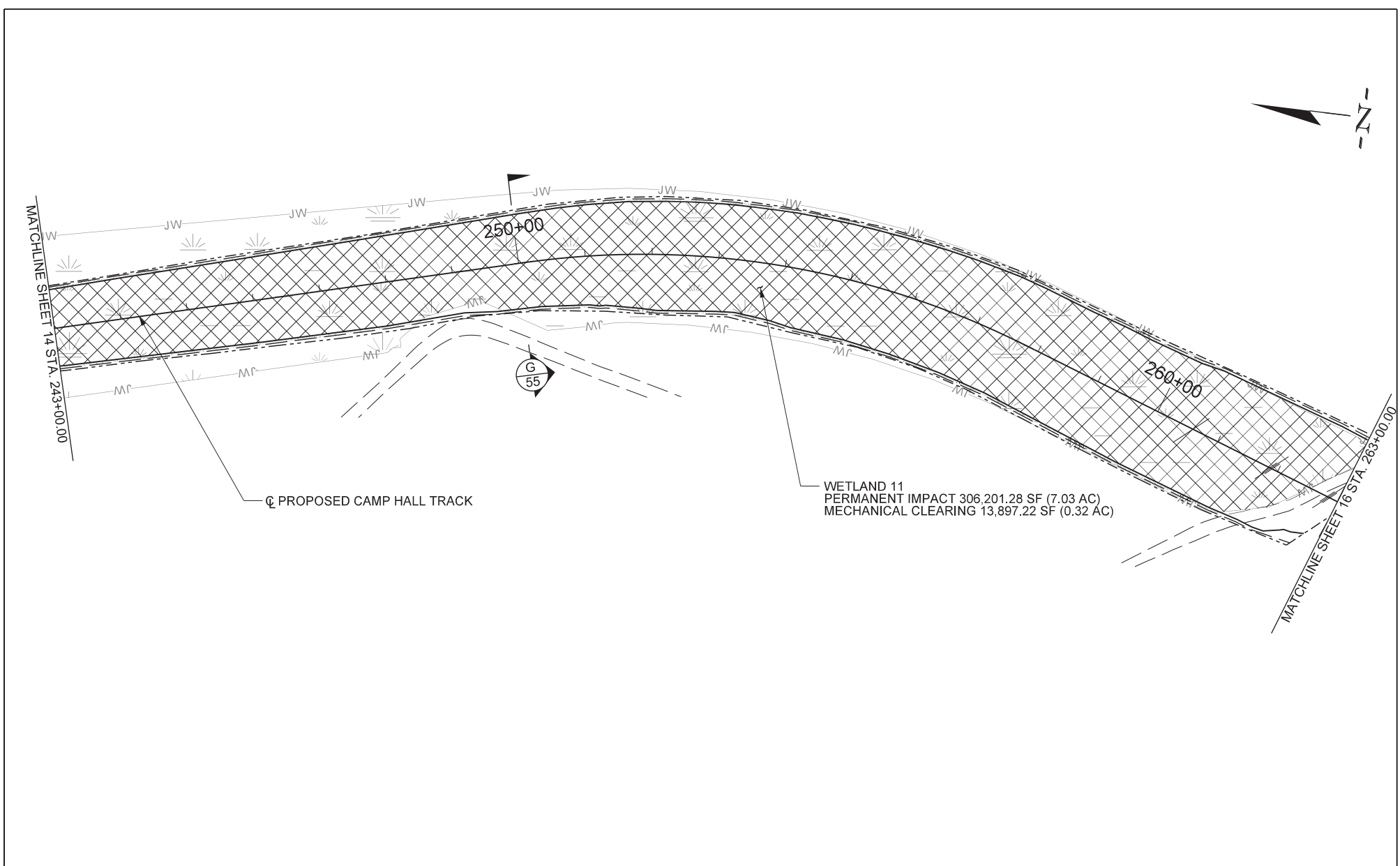


PALMETTO RAILWAYS
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APPLICATION FOR DEPARTMENT OF ARMY 404 PERMIT
SAC-2016-01395
DATE: MARCH 2018 SHEET 2 OF 106

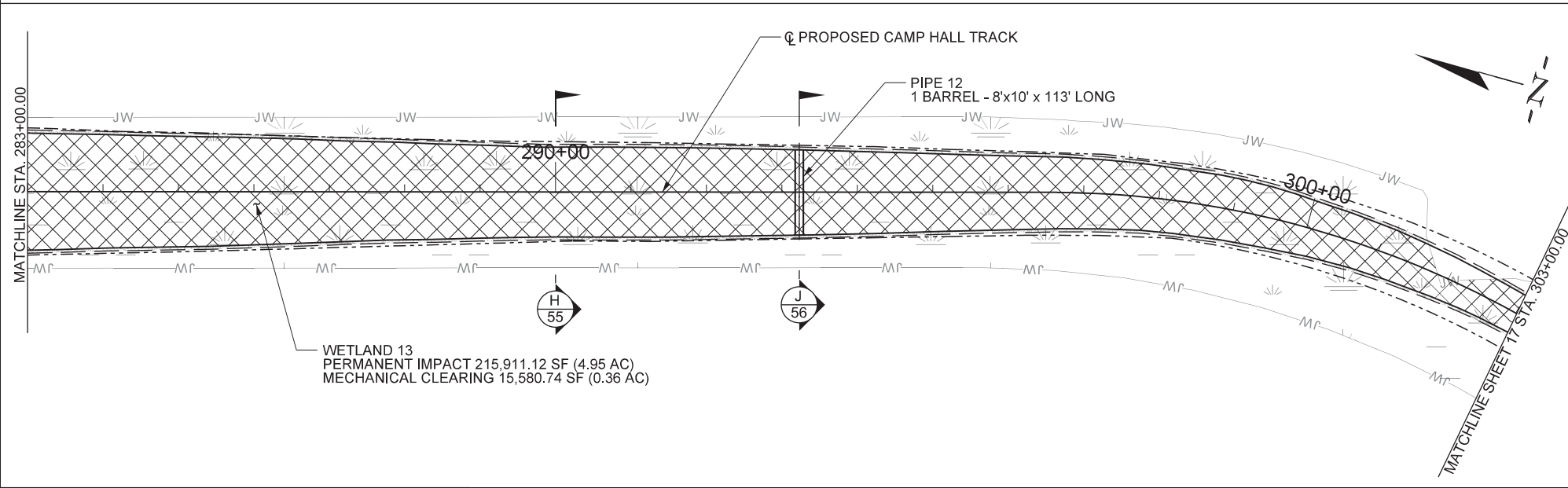
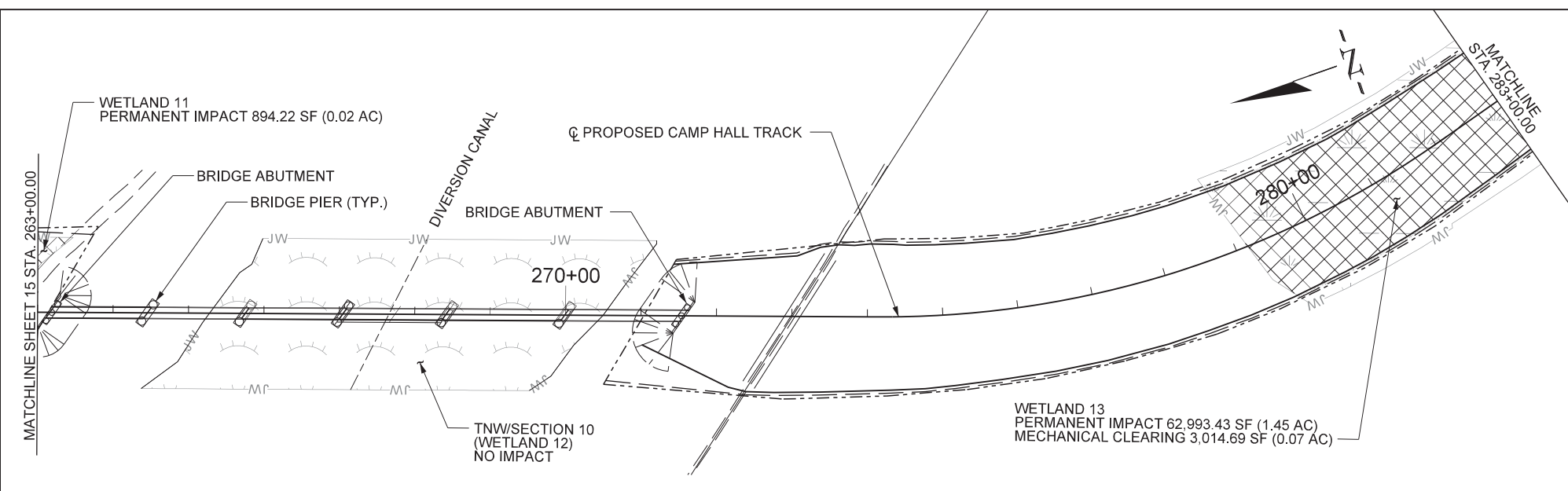




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 PERMANENT PIPE IMPACT NON-WETLAND WATER		194.20 LF	----					
TOTAL IMPACTS		288,287.84	6.62					



 APPLICANT: PALMETTO RAILWAYS		IMPACTS		SF	AC	  -----
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APPLICANT: PALMETTO RAILWAYS

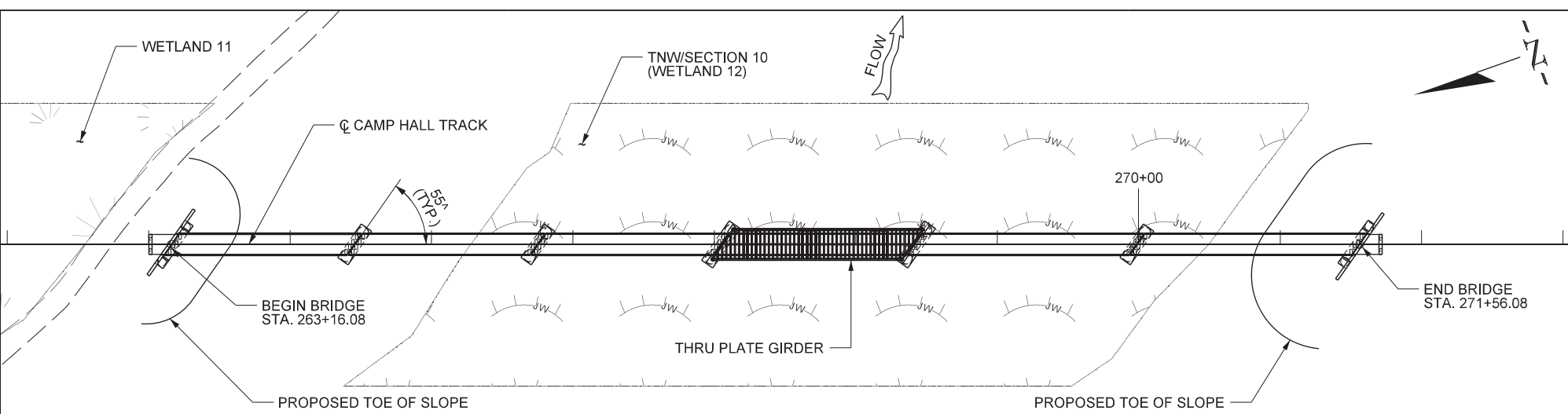


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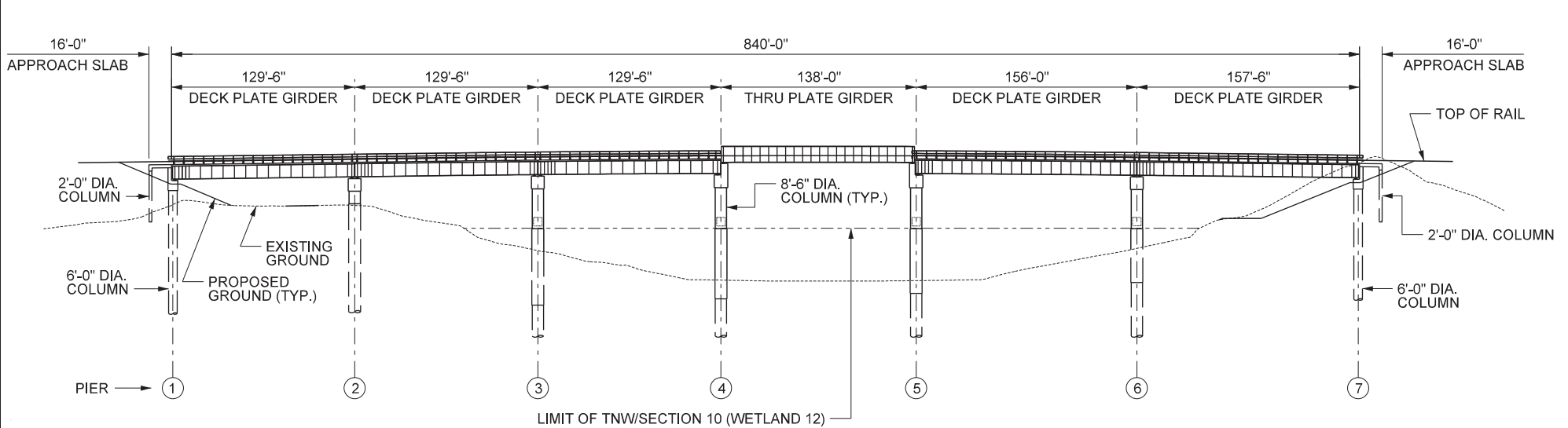
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**EXISTING ROAD**
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**LIMITS OF DISTURBANCE**
**PERMANENT IMPACT**
**PROPOSED ROAD**
**RIGHT-OF-WAY (ROW)**

PALMETTO RAILWAYS
CAMP HALL RAIL PROJECT
BERKELEY COUNTY, SOUTH CAROLINA
APPLICATION FOR DEPARTMENT OF ARMY 404 PERMIT
APPLICATION # SAC-2016-01395
DATE: MARCH 2018 SHEET 16 OF 106





PLAN



PROFILE

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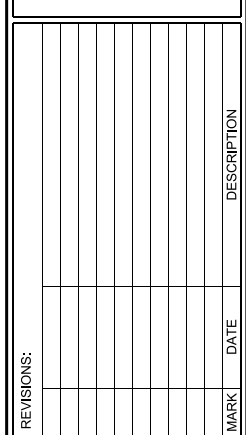
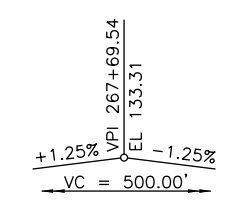
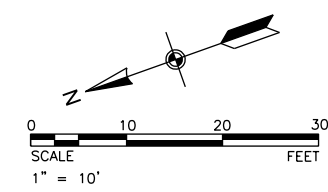


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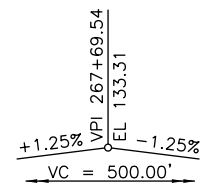
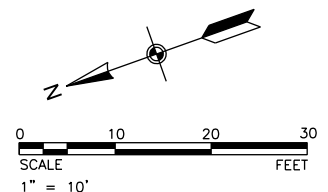


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845'-0" TOTAL BRIDGE LENGTH



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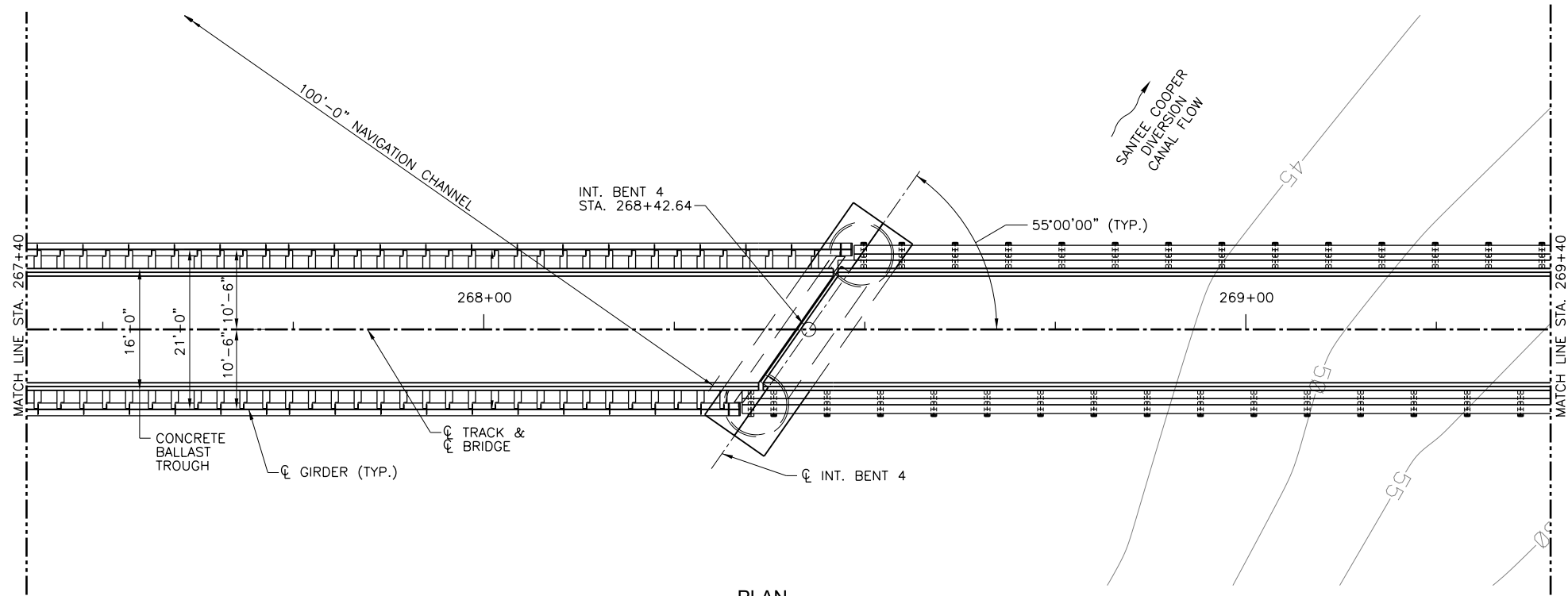
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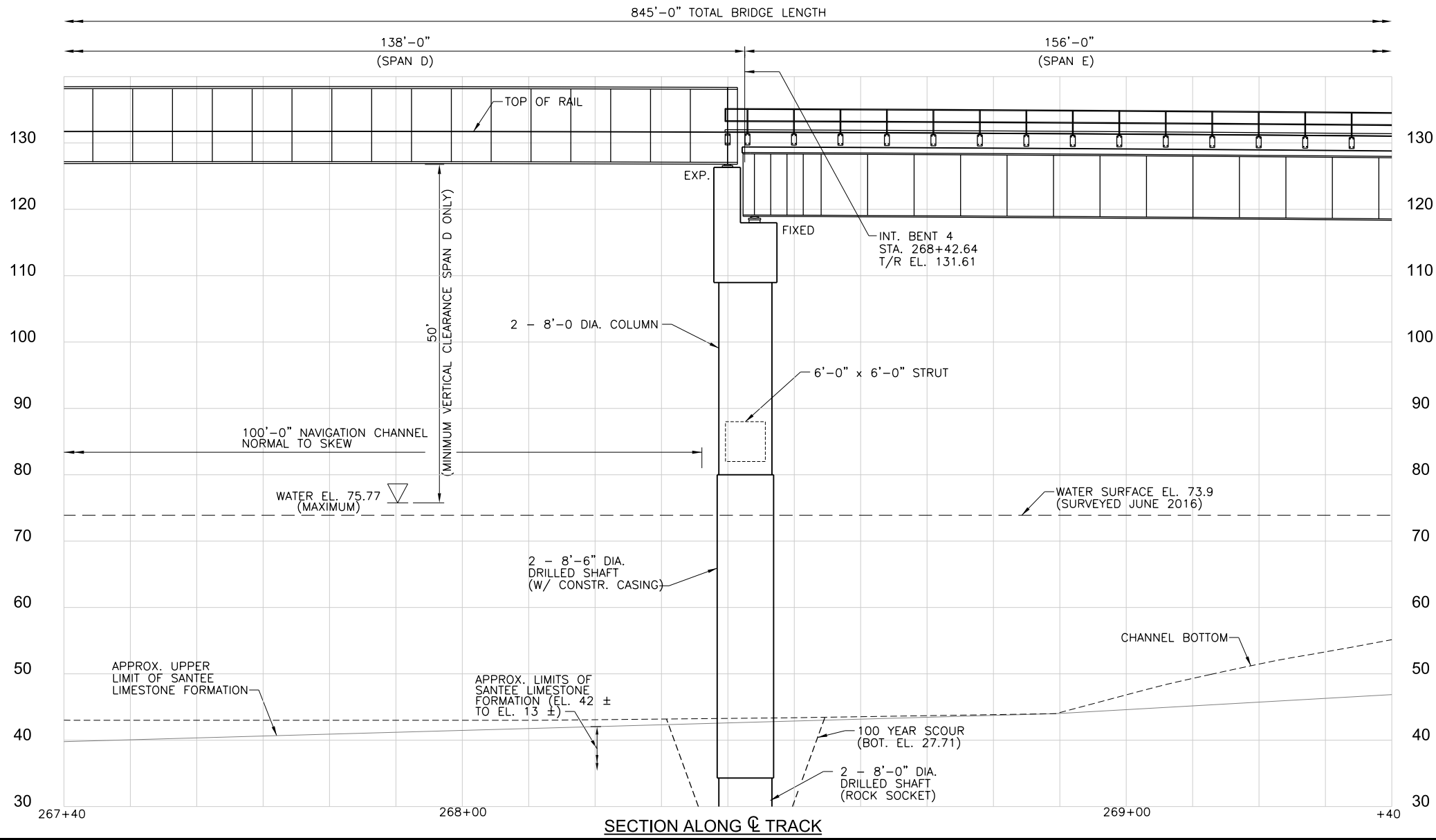
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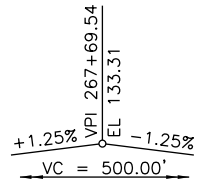
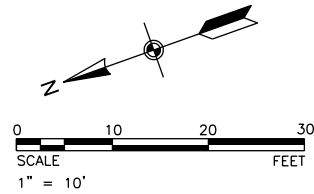
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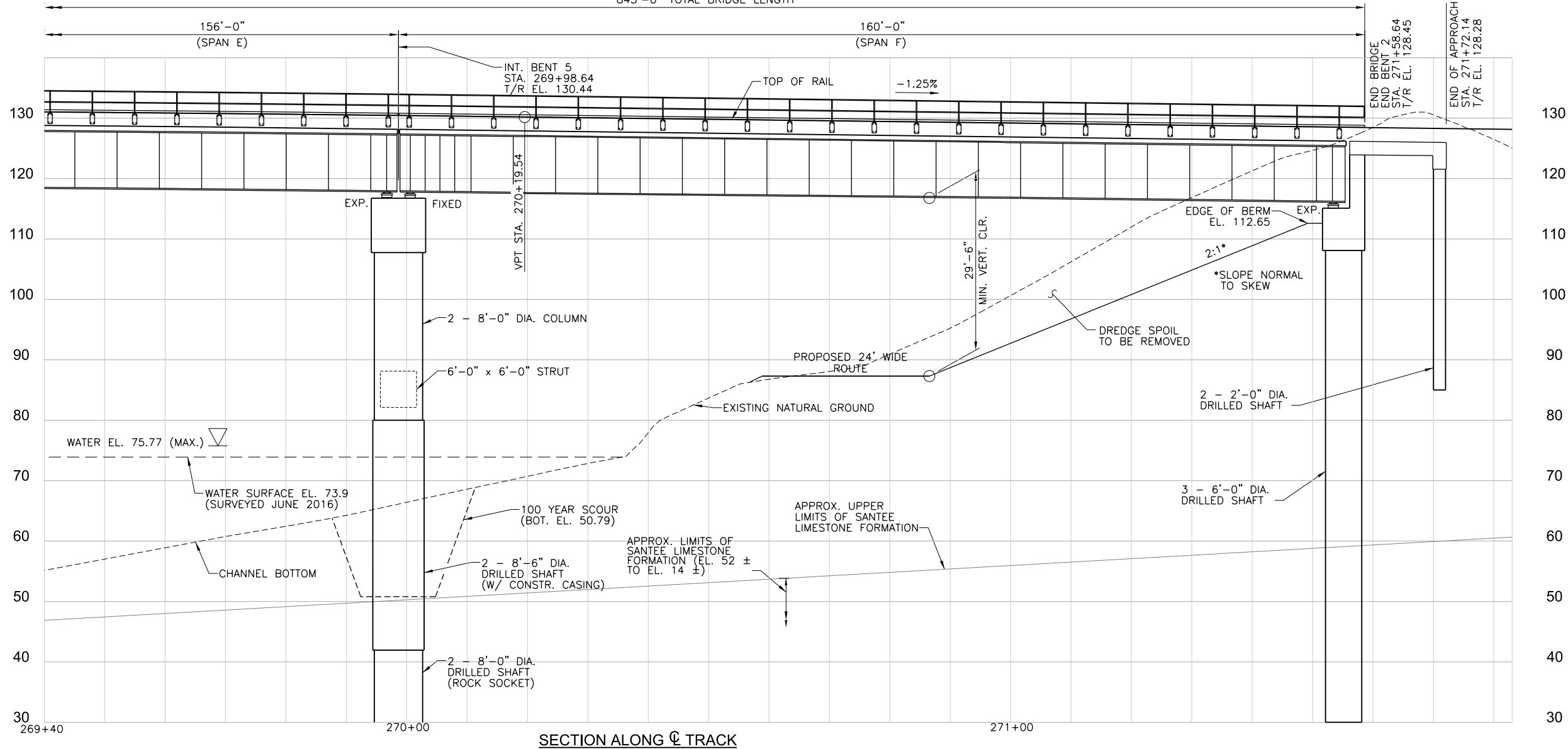
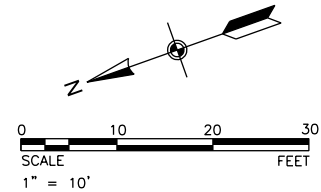
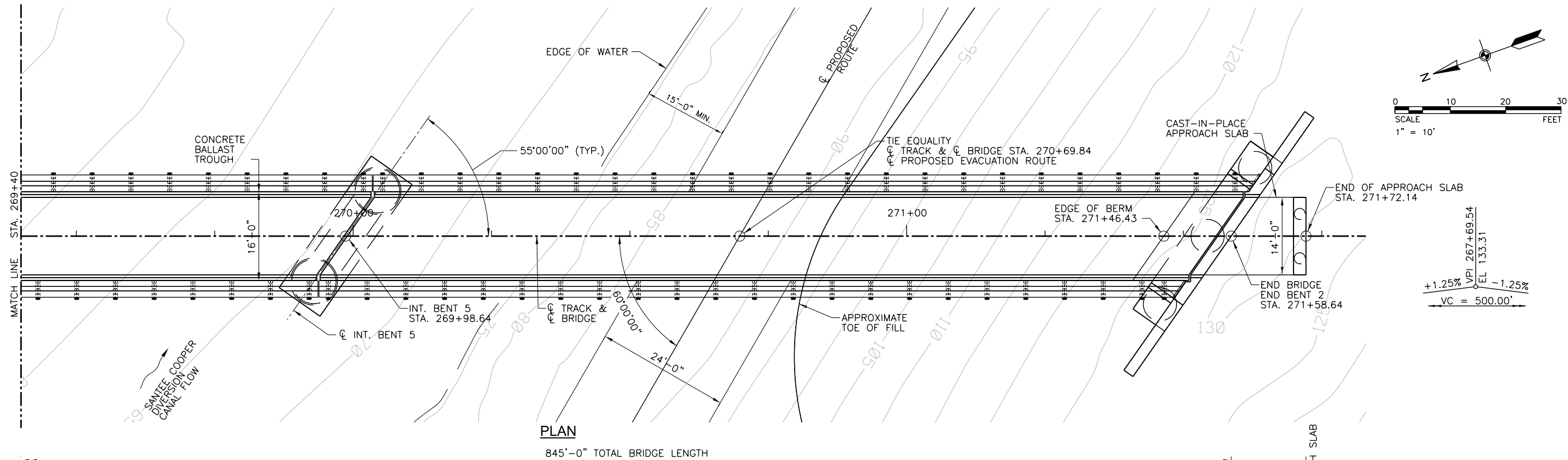
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From: Wood, Diana

Sent: Tuesday, October 10, 2017 12:51 PM

To: 'LeeAnne Wendt' <LWendt@mcn-nsn.gov>; 'Section106' <Section106@mcn-nsn.gov>

Subject: RE: STB Finance Docket No. 36095, Palmetto Railways-Construction and Operation Exemption-in Berkeley County, South Carolina; Preliminary Consultation

Dear Ms. Wendt:

The attached cultural report was sent back to me undeliverable due to its large size. I'm resending the document in 4 different parts.

Thanks

Diana

From: Wood, Diana

Sent: Tuesday, October 10, 2017 11:19 AM

To: 'LeeAnne Wendt' <LWendt@mcn-nsn.gov>; 'Section106' <Section106@mcn-nsn.gov>

Subject: RE: STB Finance Docket No. 36095, Palmetto Railways-Construction and Operation Exemption-in Berkeley County, South Carolina; Preliminary Consultation

Dear Ms. Wendt:

Thank you so much for your response. We have not conducted our own cultural survey of the project area, but here is the survey that HDR prepared for Palmetto. We are beginning the consultation process with the SC SHPO and are currently in the process of verifying Palmetto's environmental report, including the cultural report, but will be conducting our own analysis of the project area and alternatives and will definitely include you in the process.

Here is a copy of the cultural report.

Best,

Diana Wood

From: LeeAnne Wendt [<mailto:LWendt@mcn-nsn.gov>]

Sent: Friday, September 29, 2017 9:19 AM

To: Wood, Diana <Diana.Wood@stb.gov>

Subject: STB Finance Docket No. 36095, Palmetto Railways-Construction and Operation Exemption-in Berkeley County, South Carolina; Preliminary Consultation

RE: STB Finance Docket No. 36095, Palmetto Railways-Construction and Operation Exemption-in Berkeley County, South Carolina; Preliminary Consultation

Ms. Wood,

Thank you for contacting the Muscogee (Creek) Nation concerning the above referenced project. This project is located within our historic area of interest and is of importance to us. We appreciate that you are contacting us early on in the process as this aids in getting our concerns to you. First, we would like to state that the Muscogee (Creek) Nation would

**UNITED STATES DEPARTMENT OF COMMERCE**

National Oceanic and Atmospheric Administration

NATIONAL MARINE FISHERIES SERVICE

Southeast Regional Office

263 13th Avenue South

St. Petersburg, Florida 33701-5505

<http://sero.nmfs.noaa.gov>**OCT 04 2018**

F/SER31:FI

Ms. Diana Wood
Office of Environmental Analysis
Surface Transportation Board
395 E Street Southwest
Washington, DC 20423

Ms. Elizabeth Williams
Charleston District Corps of Engineers
Department of the Army
69A Hagood Avenue
Charleston, South Carolina 29403-5107

Dear Ms. Wood and Ms. Williams:

This letter responds to your request for consultation with us, the National Marine Fisheries Service (NMFS), pursuant to Section 7 of the Endangered Species Act (ESA) for the following action.

Surface Transportation Board Docket Number	Applicant	SER Number	Project Type
36095	Mr. Jeff McWhorter, Palmetto Railways	SER-2018-19295	Railroad bridge crossing

Consultation History

We received your letter requesting consultation on May 7, 2018, in a letter dated April 23, 2018. We requested additional information on May 17, 2018. We received a final response on July 12, 2018, and initiated consultation that day.

Project Location

Address	Latitude/Longitude	Water body
Berkeley County, South Carolina	33.369535°N, 80.125706°W (North American Datum 1983)	Diversion Canal that connects Lake Marion and Lake Moultrie





Image of the project location and surrounding area (Provided by Surface Transportation Board)

Existing Site Conditions

The diversion canal is not an estuarine waterbody and the crossing location of the canal is approximately 40 miles (straight line distance) from the Atlantic Ocean. The diversion canal which connects Lake Marion and Lake Moultrie, is approximately 7.5 miles long, 450 feet (ft) wide, and 12 ft deep at the crossing. It was last dredged in 2014 and consists of sand and clay lacking vegetation. There are no existing structures at the proposed canal crossing site. The canal is classified as impaired by mercury, according to South Carolina's Department of Health and Environmental Control.

Project Description

The applicant proposes to construct a railway bridge crossing, 845 ft in length, over the diversion canal that would require the installation of 4 support structures within the canal. Each support structure consists of two 8.5-ft (102-inch in diameter) drilled shafts, for a total of 8 drilled shaft foundations. Each foundation is 56.7 square feet (ft²), covering a total area of 453.6 ft². Concrete will be poured into pre-drilled shafts, resulting the piles to cast and then augered into place. All in-water construction activities will be accomplished within 2 months, and performed during daylight hours only.

Construction Conditions

The applicant has agreed to adhere to NMFS's *Sea Turtle and Smalltooth Sawfish Construction Conditions*,¹ and has agreed to implement measures to control and contain suspended sediments resulting from construction activities, i.e. turbidity curtains. The applicant has also proposed, and will implement, the following protective measures:

1. Contain stormwater runoff from bridge within a closed drainage system to minimize impacts to water quality in the Diversion Canal.
2. Develop a Stormwater Pollution Prevention Plan (SWPPP) and abide by the terms and conditions of the National Pollutant Discharge Elimination System (NPDES) permit for the protection of water quality during construction.
3. Ensure construction equipment does not obstruct or impede passage through more than 50% of the Diversion Canal.
4. Use pile driving mitigation measures, including soft starts, bubble curtains, and pile cushions, to reduce sound transmitted during pile driving.

Effects Determinations for Species the Action Agency or NMFS Believes May Be Affected by the Proposed Action

Species	ESA Listing Status	Action Agency Effect Determination	NMFS Effect Determination
Fish			
Shortnose sturgeon	E	NLAA	NLAA
Atlantic sturgeon (Carolina DPS)	E	NLAA	NLAA
E = endangered; NLAA = may affect, not likely to adversely affect			

Critical Habitat

The project is not located in designated critical habitat, and there is no potential routes of effect to any designated critical habitat.

Analysis of Potential Routes of Effects to Species

Sturgeon may be affected by the potential risk of physical injury from direct impact by construction machinery and associated in-water activities (e.g., barge, drilling shaft machinery). We believe this effect is highly unlikely and therefore, discountable due to the ability of the species to move away from the project site if disturbed. Sturgeon are mobile and are able to avoid construction noise, moving equipment, and placement or removal of materials during construction. Additionally, the applicant's implementation of NMFS's *Sea Turtle and Smalltooth Sawfish Construction Conditions* will further reduce the risk by requiring all construction workers watch for sturgeon. Operation of any mechanical construction equipment will cease immediately if a sturgeon is seen within a 50-ft radius of the equipment. Activities will not resume until the protected species has departed the project area of its own volition.

¹ NMFS. 2006. *Sea Turtle and Smalltooth Sawfish Construction Conditions* revised March 23, 2006. National Oceanic and Atmospheric Administration, National Marine Fisheries Service, Southeast Regional Office, Protected Resources Division, Saint Petersburg, Florida.
http://sero.nmfs.noaa.gov/protected_resources/section_7/guidance_docs/documents/sea_turtle_and_smalltooth_sawfish_construction_conditions_3-23-06.pdf.

Use of turbidity curtains, the construction activities, and related construction noise may prevent or deter sturgeon from entering the project area and accessing foraging and/or refuge habitat. We believe the effect to sturgeon from temporary exclusion from the project area due to construction activities, including related noise and presence of turbidity curtains, will be insignificant. The size of the area from which animals will be excluded is relatively small in comparison to the available similar habitat nearby, which sturgeon will be able to use during construction. Disturbances and loss of habitat access will be temporary, limited to 2 months of in-water construction. After the project is completed, turbidity curtains will be removed and sturgeon will be able to return to the project area.

Sturgeon may be affected by the permanent loss of habitat due to the placement of pile-supported structures. The permanent installation of 8 concrete piles (each covering 56.7 ft²) will result in the loss of approximately 453.6 ft² of non-vegetated canal bottom (i.e., sand and clay) where sturgeon might forage for invertebrate prey. We believe the effects on sturgeon caused by the loss of canal bottom due to this project will be insignificant. Because sturgeon are opportunistic feeders and forage over large areas, they would be able to locate prey beyond the immediate area of the shafts.

Effects to sturgeon as a result of noise created by construction activities can physically injure animals in the affected areas or change animal behavior in the affected areas. Injurious effects can occur in 2 ways. First, immediate adverse effects can occur to sturgeon if a single noise event exceeds the threshold for direct physical injury. Second, effects can result from prolonged exposure to noise levels that exceed the daily cumulative exposure threshold for the animals, and these can constitute adverse effects if animals are exposed to the noise levels for sufficient periods. Behavioral effects can be adverse if such effects interfere with animals migrating, feeding, resting, or reproducing, for example. Our evaluation of effects to sturgeon as a result of noise created by construction activities is based on the analysis prepared in support of the Opinion for SAJ-82.² The noise analysis in this consultation evaluates effects to sturgeon identified by NMFS as potentially affected in the table above. Based on our noise calculations, the use of augered drilled shaft foundations will not result in injurious noise effects or behavioral noise effects.

Conclusion

Because all potential project effects to listed species were found to be discountable, insignificant, or beneficial, we conclude that the proposed action is not likely to adversely affect listed species under NMFS's purview. This concludes your consultation responsibilities under the ESA for species under NMFS's purview. Consultation must be reinitiated if a take occurs or new information reveals effects of the action not previously considered, or if the identified action is subsequently modified in a manner that causes an effect to the listed species or critical habitat in a manner or to an extent not previously considered, or if a new species is listed or critical habitat designated that may be affected by the identified action. NMFS's findings on the project's potential effects are based on the project description in this response. Any changes to the proposed action may negate the findings of this consultation and may require reinitiation of consultation with NMFS.

² NMFS. Biological Opinion on Regional General Permit SAJ-82 (SAJ-2007-01590), Florida Keys, Monroe County, Florida. June 10, 2014.

We look forward to further cooperation with you on other projects to ensure the conservation of our threatened and endangered marine species and designated critical habitat. If you have any questions on this consultation, please contact Francesca Innocenti, Consultation Biologist, at (727) 209-5995, or by email at francesca.innocenti@noaa.gov.

Sincerely,



For

Roy E. Crabtree, Ph.D.
Regional Administrator

File: 1514-22.F.2

like to participate in all aspects of the consultation process which includes government-to-government consultation. Please continue to send information concerning the project to us through email, section106@mcn-nsn.gov.

Also, we were wondering if any archaeological surveys had been conducted across the area for the proposed railway construction? Has the South Carolina SHPO been contacted concerning surveys within the area? Our office has to have an archaeological survey of the area to make our determination.

Again, we appreciate being contacted concerning this project. Should further information or comment be needed, please do not hesitate to contact me at (918) 732-7852 or by email at lwendt@mcn-nsn.gov.

Regards,
LeeAnne Wendt

LeeAnne Wendt, M.A., RPA
Historic and Cultural Preservation Department, Tribal Archaeologist
Muscogee (Creek) Nation
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UNITED STATES DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

NATIONAL MARINE FISHERIES SERVICE

Southeast Regional Office

263 13th Avenue South

St. Petersburg, Florida 33701-5505

<http://sero.nmfs.noaa.gov>

May 4, 2018

F/SER47:CC/pw

(Sent via Electronic Mail)

Lt. Col. Jeffrey Palazzini
Charleston District, Corps of Engineers
69A Hagood Avenue
Charleston, South Carolina 29403-5107

Attention: Elizabeth Williams

Dear Lt. Colonel Palazzini:

NOAA's National Marine Fisheries Service (NMFS) reviewed public notice SAC-2016-01395 dated April 4, 2018. Palmetto Railways requests authorization to affect freshwater wetlands to construct an industrial rail line connecting an existing CSX rail line near the Santee Cooper Cross Generating Stations to the Camp Hall Commerce Park, Berkeley County. As compensatory mitigation, the applicant proposes the purchase of mitigation bank credits for impacts within the Four Holes Swamp watershed and Permittee Responsible Mitigation (PRM) in the Cooper River watershed, including enhancement and preservation of 1,220 acres in the Francis Marion National Forest. The Charleston District's initial determination is this project is not proposing impacts to essential fish habitat (EFH). The NMFS agrees with this determination and, accordingly, offers no EFH conservation recommendations under the EFH provisions of the Magnuson-Stevens Fishery Conservation and Management Act. As the nation's federal trustee for the conservation and management of marine, estuarine, and anadromous fishery resources, the NMFS provides the following comments and recommendations pursuant to authorities of the Fish and Wildlife Coordination Act.

The proposed project involves impacts to 120 acres of freshwater wetlands and a new bridge crossing over the Diversion Canal between Lakes Marion and Moultrie. These freshwater wetlands regulate water flow and improve water quality by retaining or transforming excess nutrients and by trapping sediment and heavy metals. The proposed project would have no direct impact on tidal wetlands; however, the loss of freshwater wetlands may affect tidal habitats indirectly by contributing pollutants and increasing freshwater flows to tidal areas. The PRM portion of the proposed compensatory mitigation plan is only roughly outlined. A fully developed PRM plan should be submitted by the applicant for review before the project is permitted. The NMFS concurs with the recommendation of the U.S. Fish and Wildlife Service, proposed in its letter dated April 30, 2018, that additional culverts be installed along the rail line to improve hydrologic flows and connectivity.

Several species of anadromous fish use the Diversion Canal, including blueback herring, American shad, striped bass, shortnose sturgeon, and (potentially) Atlantic sturgeon.



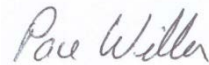
Construction of the rail line bridge crossing the Diversion Canal has the potential for impacts to this anadromous fish habitat. The following recommendations should be implemented to increase the likelihood of recovery for the impacted habitat and decrease the likelihood of impacts beyond the project area:

1. The staging area should be limited to 0.5 acres of anadromous fish habitat and all areas should be restored to pre-construction conditions following construction.
2. In-water work should be avoided between February 16 and June 15, to the maximum extent practicable, to avoid periods of anadromous fish migration and spawning.

In accordance with section 7 of the Endangered Species Act of 1973, as amended, it is the responsibility of the Charleston District to review and identify whether a proposed activity may affect endangered or threatened species and their designated critical habitat. Shortnose sturgeon and potentially Atlantic sturgeon occur in the project vicinity and may be affected by the proposed project, including the pile installation of the rail bridge crossing. Determinations involving species under the jurisdiction of the NMFS should be reported to the NMFS Protected Resources Division at the letterhead address.

The NMFS greatly appreciates the opportunity to provide these comments. Please direct related correspondence to the attention of Cindy Cooksey at our Charleston Area Office. She may be reached at (843) 460-9922 or by e-mail at Cynthia.Cooksey@noaa.gov.

Sincerely,



/ for

Virginia M. Fay
Assistant Regional Administrator
Habitat Conservation Division

cc: COE, Elizabeth.G.Williams@usace.army.mil
DHEC, trumbumt@dhec.sc.gov
SCDNR, DavisS@dnr.sc.gov
SCDNR, CroweS@dnr.sc.gov
F/SER47, Cynthia.Cooksey@noaa.gov



United States Department of the Interior

FISH AND WILDLIFE SERVICE

176 Croghan Spur Road, Suite 200
Charleston, South Carolina 29407



May 7, 2018

Lt. Colonel Jeffery S. Palazzini
District Engineer
U.S. Army Corps of Engineers
69A Hagood Avenue
Charleston, SC 29403-5107

Attn: Elizabeth Williams

Re: P/N SAC-2016-1395, Jeff McWhorter, Palmetto Railways, Berkeley County, SC
FWS Log No. 2018-CPA-0033

Dear Colonel Palazzini:

The U.S. Fish and Wildlife Service (Service) has reviewed the above-referenced public notice dated April 4, 2018. Mr. Jeff McWhorter of Palmetto Railways has requested a Department of the Army (Department) permit pursuant to sections 401 and 404 of the Clean Water Act (33 U.S.C 1344), the South Carolina Coastal Zone Management Act (48-39-10 *et seq.*), and the South Carolina Construction in Navigable Waters Permit Program (R. 19-450, *et seq.*, 1976 Code of Laws, as amended) to place fill in jurisdictional waters of the U.S., Berkeley County, South Carolina. This report is submitted in accordance with provisions of the Fish and Wildlife Coordination Act (48 Stat. 401, as amended; 16 U.S.C. 661 *et seq.*) and section 7 of the Endangered Species Act, as amended (16 U.S.C. 1531 *et seq.*) (ESA). This report is also to serve as official comments to the South Carolina Department of Health and Environmental Control (DHEC) - Office of Ocean and Coastal Resources Management.

The proposed work consists of constructing an industrial rail line connecting the CSXT Cross Subdivision near the Santee Cooper Cross Generating Station and the Camp Hall Commerce Park. The rail line construction will impact approximately 120 acres of wetlands and 537 linear feet of non-wetland waters of the United States. The applicant has proposed to mitigate for impacts to wetlands and waters of the United States by providing a combination of Permittee Responsible Mitigation at the Fairlawn C1 Parcel site and debiting mitigation bank credits from the Francis Beidler Forest Mitigation Bank.

Based on the information received regarding the occurrence of the red-cockaded woodpecker (RCW) within the proposed project, the Service concurs with your determination that the proposed project may affect, but is not likely to adversely affect the RCW. Previously, two areas along the corridor were identified as containing potentially suitable habitat for the RCW. Furthermore, our office and the South Carolina Department of Natural Resources have historical records of RCW's in these two areas. However, based on survey results provided, the largest

area identified within the applicant's proposed Interchange Yard near the northeast terminus of the railway does not provide suitable habitat for the RCW, rendering to the Service's RCW Recovery Plan. Additionally, the second, smaller area, located approximately 3,000 feet south west of the diversion canal, is outside of the currently proposed project corridor. Therefore, the requirements of section 7 of the ESA have been fulfilled relative to the proposed action, and no further consultation is necessary at this time. However, obligations under section 7 of the ESA must be reconsidered if: (1) new information reveals that the proposed action may affect listed species in a manner or to an extent not previously considered; (2) the action is subsequently modified in a manner, which was not considered in this assessment; or (3) a new species is listed or critical habitat is designated that may be affected by the identified action.

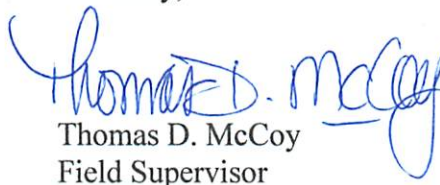
The proposed rail line necessitates linear fill that will not only block natural drainage patterns but will also hinder wildlife movement across the wetlands and uplands within the local landscape. The applicant has proposed to install culverts only in several areas where the proposed fill impacts the larger wetlands which will allow for some hydrologic flow and minimal wildlife passage. In order to improve hydrologic flows and wildlife connectivity underneath the proposed rail line the Service recommends additional culverts be installed. The Service recommends that double box culverts should be placed every 200 feet along the rail line.

The Service recommends the applicant consider species that have been petitioned for listing under the ESA as well as Candidate Species that may be in the project area. These species are collectively referred to as "At-Risk Species" (ARS). We have included a list of ARS that may occur in Berkeley County, South Carolina. Although there are no Federal protections afforded to ARS incorporating proactive measures to avoid or minimize harm to ARS may improve their status and assist with precluding the need to list these species. Additional information on ARS can be found at:

<http://www.fws.gov/southeast/candidateconservation>

The Service appreciates the opportunity to review and provide comments on the proposed project. If you should need further assistance, please contact Mr. Mark Caldwell at (843) 727-4707 ext. 215, and reference FWS Log No. 2018-CPA-0033.

Sincerely,


Thomas D. McCoy
Field Supervisor

TDM/MAC

South Carolina List of At-Risk, Candidate, Endangered, and Threatened Species - Berkeley County

CATEGORY	COMMON NAME/STATUS	SCIENTIFIC NAME	SURVEY WINDOW/ TIME PERIOD	COMMENTS
Amphibian	Frosted flatwoods salamander (T, CH)	<i>Ambystoma cingulatum</i>	January 1-April 30	Larvae present in breeding ponds
	Gopher frog (ARS)	<i>Lithobates capito</i>	Breeding: October-March	Call survey: February-April
Bird	American wood stork (T)	<i>Mycteria americana</i>	February 15-September 1	Nesting season
	Bald eagle (BGEPA)	<i>Haliaeetus leucocephalus</i>	October 1-May 15	Nesting season
	MacGillivray's seaside sparrow (ARS)	<i>Ammodramus maritimus macgillivrayi</i>	May-June	
	Red-cockaded woodpecker (E)	<i>Picoides borealis</i>	April 1-July 31	Nesting season
Crustacean	None Found			
Fish	American eel (ARS)	<i>Anguilla rostrata</i>	March 1-May 30; October 1-December 15	Temperature dependent: normally (17-20°C); can be found between 13-25°C
	Atlantic sturgeon* (E)	<i>Acipenser oxyrinchus*</i>	February 1-April 30	Spawning migration
	Blueback herring (ARS)	<i>Alosa aestivalis</i>	Mid-January-mid May	Peak: March-April
	Shortnose sturgeon* (E)	<i>Acipenser brevirostrum*</i>	February 1-April 30	Spawning migration
Insect	Frosted elfin (ARS)	<i>Callophrys irus</i>	March - June	
	Monarch butterfly (ARS)	<i>Danaus plexippus</i>	August-December	Overwinter population departs: March-April
Mammal	Northern long-eared bat (T)	<i>Myotis septentrionalis</i>	Year round	Winter surveys not as successful
	Rafinesque's big-eared bat (ARS)	<i>Corynorhinus rafinesquii</i>	Year round	Found in mines, caves, large hollow trees, buildings, and bat towers
	Tri-colored bat (ARS)	<i>Perimyotis subflavus</i>	Year round	Found in mines and caves in the winter
	West Indian manatee (T)	<i>Trichechus manatus</i>	May 15-October 15	In coastal waters
Mollusk	None Found			
Plant	American chaffseed (E)	<i>Schwalbea americana</i>	May-August	1-2 months after a fire
	Boykin's lobelia (ARS)	<i>Lobelia boykinii</i>	May-July/August	
	Bog asphodel (ARS*)	<i>Narthecium americanum</i>	June-July	
	Canby's dropwort (E)	<i>Oxypolis canbyi</i>	Mid-July-September	
	Carolina-birds-in-a-nest (ARS)	<i>Macbridea caroliniana</i>	July-November	
	Carolina bishopweed (ARS)	<i>Ptilimnium ahlesii</i>	May-July	
	Ciliate-leaf tickseed (ARS)	<i>Coreopsis integrifolia</i>	August-November	
	Long Beach seedbox (ARS)	<i>Ludwigia brevipes</i>	July-October	
	Pondberry (E)	<i>Lindera melissifolia</i>	February-March	
	Raven's seedbox (ARS)	<i>Ludwigia ravenii</i>	June-October	
	Sun-facing coneflower (ARS)	<i>Rudbeckia heliopsidis</i>	July-September	
Reptile	Eastern diamondback rattlesnake (ARS)	<i>Crotalus adamanteus</i>	Most of the year	Peak: April-November
	Southern hognose snake (ARS)	<i>Heterodon simus</i>	Most of the year	
	Spotted turtle (ARS)	<i>Clemmys guttata</i>	February-mid April	

South Carolina List of At-Risk, Candidate, Endangered, and Threatened Species - Berkeley County

*	Contact National Marine Fisheries Service (NMFS) for more information on this species
**	The U.S. Fish and Wildlife Service (FWS) and NMFS share jurisdiction of this species
ARS	Species that the FWS has been petitioned to list and for which a positive 90-day finding has been issued (listing may be warranted); information is provided only for conservation actions as no Federal protections currently exist.
ARS*	Species that are either former Candidate Species or are emerging conservation priority species
BGEPA	Federally protected under the Bald and Golden Eagle Protection Act
C	FWS or NMFS has on file sufficient information on biological vulnerability and threat(s) to support proposals to list these species
CH	Critical Habitat
E	Federally Endangered
P or P - CH	Proposed for listing or critical habitat in the Federal Register
S/A	Federally protected due to similarity of appearance to a listed species
T	Federally Threatened

These lists should be used only as a guideline, not as the final authority. The lists include known occurrences and areas where the species has a high possibility of occurring. Records are updated as deemed necessary and may differ from earlier lists.

For a list of State endangered, threatened, and species of concern, please visit <https://www.dnr.sc.gov/species/index.html>.

Mammal	(1) American marten	Procyon lotor	March 12-15	in coastal waters
	(2) American black bear	Ursus americanus	March 12-15	in coastal waters
	(3) American river otter	Lutra canadensis	March 12-15	in coastal waters
	(4) American muskrat	Fiber zibethicus	March 12-15	in coastal waters
Insect	(5) American bumblebee	Bombus impatiens	March 12-15	in coastal waters
	(6) American blueberry	Linnaea borealis	March 12-15	in coastal waters
	(7) American ladybug	Adonia variegata	March 12-15	in coastal waters
	(8) American firefly	Photinus pyralis	March 12-15	in coastal waters
Bird	(9) American crow	Corvus brachyrhynchos	March 12-15	in coastal waters
	(10) American robin	Merula migratoria	March 12-15	in coastal waters
	(11) American cardinal	Cardinalis cardinalis	March 12-15	in coastal waters
	(12) American bluebird	Sialia sialis	March 12-15	in coastal waters
Reptile	(13) American alligator	Alligator mississippiensis	March 12-15	in coastal waters
	(14) American crocodile	Crocodylus porosus	March 12-15	in coastal waters
	(15) American snake	Coluber constrictor	March 12-15	in coastal waters
	(16) American lizard	Lacerta agilis	March 12-15	in coastal waters
Amphibian	(17) American frog	Rana temporaria	March 12-15	in coastal waters
	(18) American salamander	Ambystoma macrodactylum	March 12-15	in coastal waters
	(19) American toad	Bufa fowleri	March 12-15	in coastal waters
	(20) American newt	Notropis virgatus	March 12-15	in coastal waters



May 4, 2018

U.S. Army Corps of Engineers
ATTN: Elizabeth Williams, Regulatory Division
69A Hagood Avenue
Charleston, SC 29403-5107

RE: P/N SAC 2016-1395
S.C. Mitigation Association's Comments

Dear Ms. Williams:

The following comments regarding the above-referenced April 4, 2018 Public Notice have been prepared and submitted on behalf of the South Carolina Mitigation Association (SCMA). Our comments are specifically focused on the Draft Wetlands Mitigation Plan for the Palmetto Railways project.

As described in the Public Notice, the project, as proposed, will result in impacts to 120.01 acres of wetlands and 537.20 linear feet of non-wetland waters of the United States. The Public Notice includes a description of the proposed compensatory mitigation as a combination of Permittee Responsible Mitigation (for impacts in the Cooper River Watershed) and the purchase of wetland credits from the Francis Beidler Forest Mitigation Bank (for impacts in the Four Hole Swamp watershed). The PRM is further described as a 1,550-acre site with 697 acres of wetland enhancement and 43 acres of wetland preservation. No further details regarding compensatory mitigation are provided in the Public Notice. The information provided is not sufficient to determine whether or not the proposed compensatory mitigation will offset the proposed impacts.

A "Draft Wetlands Mitigation Plan" dated July 27, 2017 was found at the Camp Hall Rail website (http://www.camphallrailnepa.com/documents/Appendix_G_Draft_Wetlands_Mitigation_Plan.pdf). This plan is six pages in length. The table below lists the 12 elements required to be in a Mitigation Plan in accordance with the 2008 Federal Compensatory Mitigation Rule. The Draft Mitigation Plan contains only minimal information regarding two of these elements and no information regarding the other 10.

Table 1. Mitigation Plan Required Elements (33 CFR 332.4(c)/40 CFR 230.92.4(c).

Mitigation Plan Required Element		Included in Camp Hall Mitigation Plan?
1	Objectives	No
2	Site Selection	No
3	Site Protection Instrument	No
4	Baseline Information	Minimal
5	Determination of Credits	No
6	Mitigation Work Plan	Minimal
7	Maintenance Plan	No
8	Performance Standards	No
9	Monitoring Requirements	No
10	Long-Term Management Plan	No
11	Adaptive Management	No
12	Financial Assurances	No

Because the proposed impacts are significant in quantity and function of important aquatic resources, the SCMA respectfully submits that a mitigation plan that is in compliance with federal rules should be prepared and made available for public comment prior to a permit decision by the USACE.

SCMA appreciates your consideration of these comments.

Best regards,

On behalf of the South Carolina Mitigation Association



Tara Disy Allden

SCMA President

South Carolina Department of Natural Resources

1000 Assembly Street Suite 336
PO Box 167
Columbia, SC 29202



Alvin A. Taylor
Director
Lorianne Riffin
Director, Office of
Environmental Programs

May 3, 2018

Electronic submission

Ms. Elizabeth Williams
U.S. Army Corps of Engineers
Regulatory Division
69-A Hagood Avenue
Charleston, South Carolina 29403

RE: P/N SAC 2016-1395, Palmetto Railways, Mr. Jeff McWhorter

Dear Ms. Williams:

Personnel with the South Carolina Department of Natural Resources (SCDNR) have reviewed the proposed project, evaluated its impact on natural resources and offer the following comments.

Project Summary

The proposed work consists of constructing an industrial rail line, connecting the CSXT Cross Subdivision near the Santee Cooper Cross Generating Station and the Camp Hall Commerce Park. The proposed rail line will service the new Volvo Cars manufacturing facility, as well as future proposed development within the Camp Hall Commerce Park. The applicant proposes to impact approximately 120.01 acres of wetlands and 537.20 linear feet of non-wetland waters of the United States. In detail, permanent cut/fill is proposed in 103.12 acres of wetlands and mechanical clearing is proposed in 16.89 acres. Permanent pipe is proposed in 315.20 linear feet of non-wetland waters and permanent morphological impact is proposed in 222 linear feet of non-wetland waters of the United States.

Agency Comments

SCDNR previously provided comments on the proposed railway in a letter dated September 28, 2017 to Ms. Diana Wood of the Surface Transportation Board (STB) and Ms. Courtney Stevens of the U.S. Army Corps of Engineers. This letter was in response to a request for information from the STB in Docket No. FD 36095 for authority to construct and operate a new rail line in Berkeley County. The July 25, 2017 Environmental Report referenced for this project at that time states that approximately 83.18 acres of jurisdictional wetlands and 169 linear feet of non-wetland waters will be impacted by project construction. The current public notice states that the applicant proposes to impact approximately 120.01 acres of wetlands and 537.20 linear feet of

non-wetland waters. SCDNR requests that an explanation be provided for this difference in the proposed impacts.

The proposed project involves the construction of a new rail bridge crossing of the Diversion Canal that connects Lake Marion and Lake Moultrie. The construction method would include the placement of eight cast-in-place concrete columns in the canal bottom to support the rail bridge. The Diversion Canal provides passage for diadromous fish species including the federally-endangered shortnose sturgeon as well as American shad, blueback herring and hickory shad. SCDNR recommends that construction activities should not occur in the waters of the Diversion Canal between January and April to minimize impacts to these diadromous fish species. Further coordination should occur with the Atlantic States Marine Fisheries Commission (ASMFC) regarding blueback herring and American shad. ASMFC is an interstate compact, ratified by the states on the Atlantic coast and approved by Congress in 1942, to ensure the sustainability of Atlantic coast fishery resources.

SCDNR personnel reviewed the Protected Species Assessment, dated March 1, 2018, publicly available on the project website (<http://www.camphallrailnepa.com/>). SCDNR previously expressed concerns regarding the presence of potentially suitable habitat in two locations near the Cross Generating Station for red-cockaded woodpecker (RCW). The first site (Area 1), located south of the Diversion Canal, is outside of the currently proposed project corridor and we find that further evaluation is not needed. The second site (Area 2) is located north of the Diversion Canal at the proposed interchange yard. SCDNR submits that the information provided for Area 2 meets sufficient survey and habitat assessment requirements and we have no further concerns.

SCDNR has records of three South Carolina State Wildlife Action Plan (SWAP) species near the project corridor. Occurrences of Cedar Creek crayfish, black mottled crayfish and Santee crayfish have been documented in the vicinity of the project corridor. SWAP species are those species of greatest conservation need not traditionally covered under any federal funded programs. Species are listed in the SWAP because they are rare or designated as at-risk due to knowledge deficiencies; species common in South Carolina, but listed rare or declining elsewhere; or species that serve as indicators of detrimental environmental conditions. SCDNR recommends that appropriate measures be taken to minimize or avoid impacts to these species of concern.

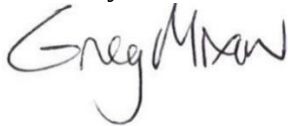
The applicant has proposed to mitigate for impacts to wetlands and waters of the United States through a Permittee Responsible Mitigation Plan (PRMP) and the purchase of mitigation bank credits. For impacts within the Four Hole Swamp watershed, the applicant proposes to purchase wetland mitigation bank credits from the Francis Beidler Forest Mitigation Bank. For impacts within the Cooper River watershed, a PRMP is proposed to enhance 697 acres of wetlands and preserve 43 acres of wetlands at the Fairlawn C1 Parcel site, a 1,550-acre site within the Francis Marion National Forest. The Fairlawn C1 Parcel will be transferred to the United States Forest Service for long-term stewardship, which will provide public access and permanently protect the site.

SCDNR has no objection to the purchase of credits from the Francis Beidler Forest Mitigation Bank for the unavoidable impacts within the Four Hole Swamp watershed provided that credits

are available. SCDNR also submits that the Fairlawn C1 Parcel may be a suitable PRM site for the impacts within the Cooper River watershed; however, the information provided in the July 27, 2017 Draft Wetlands Mitigation Plan is deficient. A final PRMP should address the twelve elements from the 2008 Compensatory Mitigation Rule and follow the guidance for the development of a PRMP provided by the USACE Charleston District. SCDNR requests that the final PRMP be provided for review.

SCDNR asks that the permit be held in abeyance until 1) an explanation is provided in the change in amounts of jurisdictional impacts and 2) SCDNR has reviewed the PRMP. Should you have any questions or need more information, please do not hesitate to contact me by email at mixong@dnr.sc.gov or by phone at 803.734.3282.

Sincerely,

A handwritten signature in black ink, appearing to read "Greg Mixon". The signature is fluid and cursive, with the first name "Greg" and last name "Mixon" clearly distinguishable.

Greg Mixon
Office of Environmental Programs

cc: SCDHEC-EQC
SCDHEC-OCRM
NMFS
FWS
EPA

Property Management Division

(843) 761-4068

fax: (843) 761-4003

May 2, 2018

Ms. Elizabeth Williams
Project Manager
Corps of Engineers
Charleston District
69-A Hagood Avenue
Charleston, SC 29403-5107

Re: Palmetto Railways Camp Hall Rail Project;
SAC 2016-1395

Dear Ms. Williams:

The South Carolina Public Service Authority (known as Santee Cooper) supports the proposed development of an industrial rail line by Palmetto Railways that will provide rail service from the Camp Hall Commerce Park in Berkeley County, South Carolina, to the A-Line of CSX Transportation, Inc.

As an instrumentality of the State of South Carolina, Santee Cooper is charged with providing water and power and assisting economic development "for the benefit of all the people of the State...." S.C. Code Ann. § 58-31-80. As you may know, Santee Cooper owns approximately 3,882 acres of the Camp Hall site. Santee Cooper has obtained regulatory approval from the U.S. Army Corps of Engineers, Charleston District, for the development of approximately 1,382 acres of that site. That property, adjacent to the development of the Volvo automotive manufacturing facility, is currently being marketed and is available for sale and development.

Rail infrastructure and availability at Camp Hall significantly enhances the value and attractiveness of the property for economic, and particularly industrial, development. Industrial development of the property further supports jobs and improves the quality of life of the State's citizens, including the alleviation of road congestion by using rail as an alternative to trucks. Santee Cooper views the Camp Hall rail project and its proposed access for the Santee Cooper-owned portion of Camp Hall as an important addition of infrastructure to support the transportation and logistics needs of the future development of Camp Hall.

We have reviewed the proposed route of the Camp Hall Railway and concluded that it crosses several significant tracts of Santee Cooper property. An overall comment for the proposed rail project is that Santee Cooper wants to be assured that any proposed embankments, culverts or bridges will not impede existing storm water drainage patterns or efficiencies that would cause adverse effects on our adjacent properties. A summary of a few notable areas of concern follows:

Cross Generating Station Site (CGS):

1. Bulltown Ditch Crossing-this ditch, near Station 118, drains a large portion of the developed and un-developed portions of CGS, as well as the proposed railyard.
2. Solid Waste Landfill (SWLF) drainage canal-this large canal, near Station 236, receives the storm water flows from the Subtitle D SWLF that is utilized for ash storage for CGS. The completed landfill area will, when filled and closed, consist of just less than 200 acres of impervious runoff from the top and side slopes of the SWLF. This canal will see very large flows once the SWLF is closed. We have storm water studies available to share with Palmetto Rail that can be used to verify their culvert design.
3. The Diversion Canal Bridge crossing design should consider and maintain navigation, as well as address any potential scour effects in the canal.
4. FERC project lands exist along each side of the Diversion Canal and FERC approval of the rail project will be required. Santee Cooper has initiated discussions with FERC regarding this project and will continue to assist Palmetto Rail with this process.

"Greenfield Site" TMS SCPSA:

This portion of undeveloped timber land is bounded to the north by the Diversion Canal and on the west by Ranger Drive. There are no significant areas of drainage related concerns on this tract.

TMS Number 052-00-00-039:

The proposed rail route crosses an existing dirt road, near Station 559, that provides access to this tract of land. An existing drainage ditch runs parallel to this road and provides significant drainage to our tract of land, as well as drainage for the road.

"Camp Hall" TMS Number 176-00-01-002:

There are five to six existing drainage ditches that the proposed rail route crosses on this undeveloped portion of Camp Hall. These ditches provide critical drainage to these timberlands owned by Santee Cooper.

Santee Cooper fully supports Palmetto Railways' proposed project and respectfully requests that the U.S. Army Corps of Engineers move expeditiously to approve the pending permit application for the proposed Camp Hall Rail Line.

Sincerely,



Dan Camp
Vice President
Real Estate

Cc: Pamela Williams
Mark Carter
Shea McMakin
Mikki Crocker
William Johnson
Elisa Furse
John Fondren
Chip Corrigan