April 24, 2020

Apache Tribe of Oklahoma
Bob Komardley, Chairman
P.O. Box 1330
Anadarko, OK 73005

Re: Des Moines Transloading Facility
   200 SE 15th Street, Des Moines, Polk County, Iowa
Initiation of Section 106 Consultation with Native American Tribal Government and Finding of No Adverse Effect

Dear Chairman Komardley:

The Federal Railroad Administration (FRA) has selected the Des Moines Industrial – Transload Center to receive grant funding for the construction of a multi-modal transloading facility including trackage, docks, and warehousing within the Des Moines Metropolitan Area. Pursuant to Section 106 of the National Historic Preservation Act and its implementing regulations (36 Code of Federal Regulations [CFR] Part 800) “Protection of Historic Properties” (Section 106), this letter is being transmitted: 1) to initiate the Section 106 consultation process for the undertaking, 2) to determine if there are any historic properties of religious or cultural significance to the Tribe that may be affected by the project, and 3) to seek concurrence from your office with FRA’s findings.

FRA, in coordination with Des Moines Industrial, LLC., is preparing an Environmental Assessment for the Project in accordance with the National Environmental Policy Act (NEPA) and is coordinating the NEPA process with consultation pursuant to Section 106.

**Project Background**

The concept of a transload facility, where cargo is delivered and transferred between rail and trucks, was developed over a decade of study on goods movement in Central Iowa. Several studies have concluded that a market exists in Des Moines to support the development of a transload facility.

In July 2018, the Des Moines Area Metropolitan Planning Organization (DMAMPO) submitted an INFRA (Infrastructure for Rebuilding America) Grant Application to the U.S. Department of Transportation (DOT) seeking a Better Utilizing Investments to Leverage Development (BUILD) Grant for this project. The application was selected for award of Federal funds in November 2018. In April 2019, Des Moines Industrial was formed to design, construct, operate and own the transload facility.
**Current Undertaking**
FRA’s current undertaking involves the construction of a transloading facility north of Martin Luther King Parkway in the area of SE 14th Street. The site covers approximately 40-acres and is located in the SE ¼ of Section 3 and the SW ¼ of Section 2, Township 78 North, Range 24 West in Des Moines, Iowa. The proposed project involves the construction of a railroad transload facility, which includes an office/warehouse, a transloading pad, proposed bulk materials building, stormwater detention ponds, and an outdoor storage area.

The purpose of the project is to improve the overall freight capacity and railroad options in the Des Moines metropolitan area; develop rail centric transportation options for existing businesses; expand existing transportation options to attract new industries to the region and support economic development in Central Iowa.

**Area of Potential Effects**
As defined in National Historic Preservation Act (NHPA) § 800.16(d), the Area of Potential Effects (APE) means “the geographic area or areas within which an undertaking may directly or indirectly cause alteration in the character of use of historic properties, if such properties exist. The area of potential effects is influenced by the scale and nature of the undertaking and may be different for different kinds of effects caused by the undertaking.”

The APE for archaeology was the limits of disturbance (LOD) for the project, while the APE for the built environment was the immediate viewshed of the project site location. The Project boundary and the APE are shown on Exhibit 1.

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Numerous archaeological sites are known to be in the general vicinity, which suggested there was a high level of archaeological potential within the APE. This area is within a former river channel of the Des Moines River, and exhibits complex depositional conditions. Because of these factors, a desktop assessment was not sufficient to make a recommendation on the possibility of cultural resources being present within the project area. Therefore, a geoarchaeological survey was recommended, which was used to guide a targeted Phase I archaeological survey of the proposed project area. A copy of the Archaeology Cultural Resources Desktop Assessment is enclosed.

A Geoarchaeological Study was conducted on September 26, 2019. A total of 12 cores were extracted and examined, which found that the geomorphological conditions and landforms identified within the limits of disturbance (LOD) for the project would not be conducive to long
term human settlement or occupation of the project area. A copy of the Geoarchaeological Study can be found within the enclosed Phase IA Cultural Resources Survey described below.

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The survey identified fourteen historic resources within the APE for this undertaking. Nine of the properties have previous recommendations from SHPO; FRA has agreed with those previous recommendations after reviewing the resources, as detailed in the report. For the remaining five properties that were not previously recorded, FRA has made determinations of eligibility for
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Detailed descriptions of all fourteen properties are included in the Historic Structures Report and Iowa Site Inventory Forms which are included with this consultation letter. The table below summarizes the properties and FRA’s determinations of eligibility.

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Sincerely,

Katherine Zeringue
Federal Preservation Officer
Environment and Project Engineering Division
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Federal Railroad Administration

cc: Des Moines Industrial, LLC
Amanda Ciampolillo, FRA

Enclosures:
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Lance Foster, THPO  
3345 B Thrasher Road  
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Sincerely,

Katherine Zeringue
Federal Preservation Officer
Environment and Project Engineering Division
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cc: Des Moines Industrial, LLC
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Enclosures:
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Exhibit 1

Site Plan
Historic Structures Survey
Proposed Railroad Transload Facility
Polk County, Iowa

Project No.: HK207101
Date: Apr 2020
Drawn By: AA
Checked By: JRN
Approved By: PDJ
Exhibit No. 1

Source(s): ESRI World Imagery Basemap

Disclaimer: The information depicted on this figure is for conceptual purposes only, serves to aid a licensed engineer or geologist in rendering professional services, and is subject to review and approval by appropriate regulatory agencies.
Dear Mr. Grignon:

The Federal Railroad Administration (FRA) has selected the Des Moines Industrial – Transload Center to receive grant funding for the construction of a multi-modal transloading facility including trackage, docks, and warehousing within the Des Moines Metropolitan Area. Pursuant to Section 106 of the National Historic Preservation Act and its implementing regulations (36 Code of Federal Regulations [CFR] Part 800) “Protection of Historic Properties” (Section 106), this letter is being transmitted: 1) to initiate the Section 106 consultation process for the undertaking, 2) to determine if there are any historic properties of religious or cultural significance to the Tribe that may be affected by the project, and 3) to seek concurrence from your office with FRA’s findings.

FRA, in coordination with Des Moines Industrial, LLC., is preparing an Environmental Assessment for the Project in accordance with the National Environmental Policy Act (NEPA) and is coordinating the NEPA process with consultation pursuant to Section 106.

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**Current Undertaking**
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The purpose of the project is to improve the overall freight capacity and railroad options in the Des Moines metropolitan area; develop rail centric transportation options for existing businesses; expand existing transportation options to attract new industries to the region and support economic development in Central Iowa.

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As defined in National Historic Preservation Act (NHPA) § 800.16(d), the Area of Potential Effects (APE) means “the geographic area or areas within which an undertaking may directly or indirectly cause alteration in the character of use of historic properties, if such properties exist. The area of potential effects is influenced by the scale and nature of the undertaking and may be different for different kinds of effects caused by the undertaking.”

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April 24, 2020

Sac & Fox Nation of Missouri in Kansas and Nebraska
Tiauna Carnes, Chairperson
305 North Main Street
Reserve, KS 66434

Re:  Des Moines Transloading Facility
    200 SE 15th Street, Des Moines, Polk County, Iowa
    Initiation of Section 106 Consultation with Native American Tribal Government
    and Finding of No Adverse Effect

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Sincerely,

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cc: Des Moines Industrial, LLC
Amanda Ciampolillo, FRA

Enclosures:
- Exhibit 1: APE Map
- Archaeology Cultural Resources Desktop Assessment
- Phase IA Cultural Resources Survey
- Historic Structures Report
April 24, 2020

Sac & Fox Nation, Oklahoma
Justin Wood, Principal Chief
920883 South Highway 99
Stroud, OK 74079

Re: Des Moines Transloading Facility
200 SE 15th Street, Des Moines, Polk County, Iowa
Initiation of Section 106 Consultation with Native American Tribal Government and Finding of No Adverse Effect

Dear Principal Chief Wood:

The Federal Railroad Administration (FRA) has selected the Des Moines Industrial – Transload Center to receive grant funding for the construction of a multi-modal transloading facility including trackage, docks, and warehousing within the Des Moines Metropolitan Area. Pursuant to Section 106 of the National Historic Preservation Act and its implementing regulations (36 Code of Federal Regulations [CFR] Part 800) “Protection of Historic Properties” (Section 106), this letter is being transmitted: 1) to initiate the Section 106 consultation process for the undertaking, 2) to determine if there are any historic properties of religious or cultural significance to the Tribe that may be affected by the project, and 3) to seek concurrence from your office with FRA’s findings.

FRA, in coordination with Des Moines Industrial, LLC., is preparing an Environmental Assessment for the Project in accordance with the National Environmental Policy Act (NEPA) and is coordinating the NEPA process with consultation pursuant to Section 106.

Project Background

The concept of a transload facility, where cargo is delivered and transferred between rail and trucks, was developed over a decade of study on goods movement in Central Iowa. Several studies have concluded that a market exists in Des Moines to support the development of a transload facility.

In July 2018, the Des Moines Area Metropolitan Planning Organization (DMAMPO) submitted an INFRA (Infrastructure for Rebuilding America) Grant Application to the U.S. Department of Transportation (DOT) seeking a Better Utilizing Investments to Leverage Development (BUILD) Grant for this project. The application was selected for award of Federal funds in November 2018. In April 2019, Des Moines Industrial was formed to design, construct, operate and own the transload facility.
Current Undertaking
FRA’s current undertaking involves the construction of a transloading facility north of Martin Luther King Parkway in the area of SE 14th Street. The site covers approximately 40-acres and is located in the SE ¼ of Section 3 and the SW ¼ of Section 2, Township 78 North, Range 24 West in Des Moines, Iowa. The proposed project involves the construction of a railroad transload facility, which includes an office/warehouse, a transloading pad, proposed bulk materials building, stormwater detention ponds, and an outdoor storage area.

The purpose of the project is to improve the overall freight capacity and railroad options in the Des Moines metropolitan area; develop rail centric transportation options for existing businesses; expand existing transportation options to attract new industries to the region and support economic development in Central Iowa.

Area of Potential Effects
As defined in National Historic Preservation Act (NHPA) § 800.16(d), the Area of Potential Effects (APE) means “the geographic area or areas within which an undertaking may directly or indirectly cause alteration in the character of use of historic properties, if such properties exist. The area of potential effects is influenced by the scale and nature of the undertaking and may be different for different kinds of effects caused by the undertaking.”

The APE for archaeology was the limits of disturbance (LOD) for the project, while the APE for the built environment was the immediate viewshed of the project site location. The Project boundary and the APE are shown on Exhibit 1.

Identification and Evaluation of Historic Properties

Archaeology
A records search request was submitted to the Iowa Office of the State Archaeologist (OSA) for information regarding previously identified archaeological sites within or near the proposed project area (Iowa Site File Search No. 2020017, August 5, 2019). The records search reported that no archaeological sites have been previously recorded within the APE or within 328 feet (100 Meters) of the APE. The site file search did note that 45 archaeological sites have been identified within one mile of the APE.

Numerous archaeological sites are known to be in the general vicinity, which suggested there was a high level of archaeological potential within the APE. This area is within a former river channel of the Des Moines River, and exhibits complex depositional conditions. Because of these factors, a desktop assessment was not sufficient to make a recommendation on the possibility of cultural resources being present within the project area. Therefore, a geoarchaeological survey was recommended, which was used to guide a targeted Phase I archaeological survey of the proposed project area. A copy of the Archaeology Cultural Resources Desktop Assessment is enclosed.

A Geoarchaeological Study was conducted on September 26, 2019. A total of 12 cores were extracted and examined, which found that the geomorphological conditions and landforms identified within the limits of disturbance (LOD) for the project would not be conducive to long
term human settlement or occupation of the project area. A copy of the Geoarchaeological Study can be found within the enclosed Phase IA Cultural Resources Survey described below.

A Desktop Survey was finalized on November 7, 2019. No cultural resources have been previously recorded within the LOD, though it indicates that the western portion of the APE potentially contained resources related to a Sauk and Meskwaki Camp from 1841 (HILD 1108).

A Phase IA Cultural Resources Survey was finalized on November 8, 2019. The survey found evidence of extensive ground disturbances throughout the LOD. Such disturbances included the continued use of the project area by modern railroads; prior construction and demolition of structures; utility and rainwater control infrastructure construction and expansions; and a large junkyard, which occupied the eastern half of the project area. The lack of integrity seen at the ground surface was determined to extend into subsurface conditions by the geoarchaeological report, which found extensive fill deposits overlying the natural soils within the project area. This report also found that conditions within the LOD, both in the prehistoric and historical periods, would not have been conducive to human occupation, as the landscape was primarily wetlands or marsh. The disturbances documented in both the Phase IA and geoarchaeological examination of the LOD suggest that it is unlikely for intact cultural deposits to be present which can be encountered or identified through standard survey methodologies. If extant archaeological resources are present, they are deeply buried and only accessible through extensive mechanical excavation of the fill soils within the LOD. As such, a determination of no historic properties affected is recommended for archaeology in the APE. A copy of the Phase IA Cultural Resources Survey is enclosed.

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An informal search of the historical structural inventory maintained by the State Historic Preservation Office was conducted by the Iowa SHPO records manager for information regarding previously recorded historic properties within or near the project area. This inventory reported information on hundreds of previously-recorded historic properties within one mile of the project area but did not identify historic properties within the APE.

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The Historic Structures Survey consisted of a pedestrian survey and historic architectural analysis of all buildings fifty years or older within the APE. Other research included an examination of the Sanborn Fire Insurance Company maps, available plat maps, historical aerials and United States Geological Survey (USGS) topographic maps, as well as recent past and current street-view images.

The survey identified fourteen historic resources within the APE for this undertaking. Nine of the properties have previous recommendations from SHPO; FRA has agreed with those previous recommendations after reviewing the resources, as detailed in the report. For the remaining five properties that were not previously recorded, FRA has made determinations of eligibility for
inclusion in the National Register of Historic Places (NRHP).

Detailed descriptions of all fourteen properties are included in the Historic Structures Report and Iowa Site Inventory Forms which are included with this consultation letter. The table below summarizes the properties and FRA’s determinations of eligibility.

**Table 1. Potential Historic Properties within the APE**

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<td>77-03895</td>
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April 24, 2020

Sac & Fox Tribe of the Mississippi in Iowa
Judith Bender, Chairperson
349 Meskwaki Road
Tama, IA 52339

Re: Des Moines Transloading Facility
200 SE 15th Street, Des Moines, Polk County, Iowa
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and Finding of No Adverse Effect

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