



June 21, 2022

Michael V. Farabee
Chief, Eastern Evaluation Branch
U.S. Army Corps of Engineers
New Orleans District
7400 Leake Avenue
New Orleans, LA 70118-3651

Ref: *Proposed Greenfield Louisiana Grain Terminal*
Permit Application Number: MVN 2014-01518-2 EMM
Wallace, Saint John the Baptist Parish, Louisiana
ACHP Project Number: 18435

Dear Mr. Farabee:

The Advisory Council on Historic Preservation (ACHP) has received expressions of concern from a number of stakeholders regarding the potential for effects to historic properties from the referenced undertaking currently under review by the Corps of Engineers, New Orleans District (Corps). As we understand, the undertaking requires one or more permits from the Corps Regulatory Program under Section 10 of the Rivers and Harbors Act of March 3, 1899 (30 Stat. 1151; 33 USC 403); and/or Section 404 of the Clean Water Act (86 Stat. 816; 33 USC 1344). **As the ACHP has no record of notifications from the Corps regarding this undertaking or determinations of adverse effects to historic properties, we would appreciate you apprising us of the current status of this project, including steps the Corps has taken to comply with the requirements of Section 106 (54 U.S.C. § 306108) of the National Historic Preservation Act (NHPA) (54 U.S.C. § 300101 et seq.) and its implementing regulations, "Protection of Historic Properties" (36 C.F.R. Part 800) for this undertaking. As outlined further below, we also remind the Corps of key responsibilities that they have in achieving a responsible and efficient consideration of effects to historic properties.**

Based on the limited information we have, the undertaking consists of the construction of a grain terminal on up to 250 acres of farmland to include a 275-foot-tall grain elevator, 36 or more storage silos, new railroad lines, access roads, and other associated infrastructure by Greenfield Louisiana LLC (Greenfield). We also understand that the Port of South Louisiana (POSL) may be seeking or have received additional federal funding to construct an associated dock in the Mississippi River to serve the facility. The undertaking will be located adjacent to the community of Wallace and the Whitney Plantation, and within the immediate vicinity of the Evergreen Plantation. Both plantation sites are historic properties listed on the National Register of Historic Places (National Register). The Evergreen Plantation has also been designated as a National Historic Landmark (NHL).

According to a December 29, 2021, letter to the Corps from the National Trust on Historic Preservation (NTHP), the State of Louisiana has designated the entirety of the west bank of the Mississippi River in St. John the Baptist Parish, including areas where the proposed undertaking will be built, as the River Road Cultural District. Further, St. John the Baptist Parish Council has locally designated parts of the project

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area as the River Road Historic District. The ACHP agrees with the NTHP's observations about the potential for adverse effects to the Whitney and Evergreen Plantations and their associated landscapes including reasonably foreseeable, long term, and cumulative effects, that could include future industrial development in the current agricultural setting. We understand that the staff of Louisiana State Historic Preservation Officer (SHPO) has also expressed concern about the potential for such long term and cumulative effects. The Cultural Landscape Foundation has also expressed its concerns regarding the undertaking to the Corps, and stated its interest in helping the Corps to address effects to potentially eligible landscapes.

We understand that most of the residents of the community of Wallace are the descendants of the African Americans who labored as slaves on the Whitney and Evergreen Plantations prior to emancipation and continued as farm laborers and tenant farmers after emancipation. Those ancestors also founded the community of Wallace. As such, there appears to be potential for an historic district associated with this descendant community and an encompassing cultural landscape that includes the project site, the historic plantation sites, and might contain components, including archaeological sites, associated with agricultural and craft activities, housing, and burial grounds of the enslaved and emancipated labor force.

The ACHP is aware that a cultural resource report sponsored by Greenfield has been challenged by the original author of the report. As we understand, the report's original recommendations regarding the presence of an eligible historic district that would be adversely affected by the undertaking were altered prior to submission to the Corps by contractors of Greenfield. The ACHP requests that the Corps clarify how it will address this issue. We remind the Corps that the Section 106 regulations require that a federal agency sponsor or require a reasonable and good faith effort to identify historic properties that may be affected by an undertaking that it is sponsoring, authorizing, or assisting. Federal agencies, as well as proponents who are applicants for federal authorizations or assistance, very often rely on the services of consultants and contractors to carry out research, surveys for the identification of cultural resources and potential historic properties, and prepare the analyses and recommendations needed to inform the federal agency's Section 106 review. Regardless of who carries out the studies and prepares the Section 106 documentation for review, the federal agency is responsible for ensuring that actions taken by employees or contractors meet professional standards developed by the Secretary of the Interior and that the contents of any documents or studies prepared by a non-federal party meet applicable standards and guidelines (36 C.F.R. § 800.2(a)(1) and § 800.2(a)(3); see also Section 112(a) of NHPA, now 54 U.S.C. 306131). The Section 106 regulations also remind the federal agency to consider other applicable professional, state, tribal, and local laws, standards, and guidelines (36 CFR § 800.4(b)(1)).

As noted in the NTHP correspondence, there may be adverse effects to the Evergreen Plantation site and to a cultural landscape that includes that NHL, and the Corps is responsible to consider Section 110(f) of the NHPA (now 54 U.S.C. § 306107) and 36 C.F.R § 800.10 of the Section 106 implementing regulations. These sections require that a federal agency, to the maximum extent possible, undertake such planning and actions as may be necessary to minimize harm to an NHL that may be directly and adversely affected by an undertaking. The Corps should remember that effects to the setting and context of an historic property may also be considered direct effects to historic properties, and should plan its Section 106 review accordingly. The Corps should also consider inviting the National Park Service's NHL Program to participate in consultation early in the process to ensure that the requirements of Section 110(f) are met.

The industrial development that comprises this undertaking will be directly adjacent to the community of Wallace, and as currently designed, will be significantly higher than any other property within the area. In the context of the Corps' responsibility to include consideration of environmental justice (EJ) issues in its permit review, members of the community have raised concerns about impacts to community health and quality of life from air contamination by grain dust and fiber particles released by unloading, processing,

and loading of grain, and how that may amplify air quality problems associated with an aluminum processing plant located across the Mississippi River. The impacts from noise and project lighting might also be factors. Impacts to the health of a local population are not in and of themselves a focus of consideration under Section 106. However, such issues may well be a consideration for the Corps if the community of Wallace should be considered an historic district or a contributing element of a larger historic district and/or landscape which might be altered due to long-term and cumulative effects from the undertaking if community members feel compelled to relocate in response to negative health and quality of life issues that appear likely as a result of the undertaking.

The significance of an historic district located in or encompassing the community of Wallace would be inextricably linked to the community's living, ongoing experience of the district and their sense of place in the larger landscape, through activities at church, family gatherings, community celebrations of holidays, and day-to-day interactions among community members whose families have been in community for generations. Regardless of the eligibility of the individual structures that might be contributing elements of such a district, the community of Wallace, as the home place of this descendant community, might be individually eligible for inclusion on the National Register and might be considered a contributing element to a larger historic district or landscape. If the descendants of the formerly enslaved founders of this community stand to be the most impacted by the proposed undertaking, the issues frequently of concern under considerations of EJ converge with a federal agency's responsibility to take into account effects on historic properties. As such, we want to remind the Corps that local zoning decisions, prior state review approvals, and the purchase of land for a proposed undertaking by a proponent, which can potentially constrain a federal agency's ability to consider alternatives, do not obviate a federal agency's responsibility to comply fully with Section 106. A federal agency should consider alternatives in a way that gives full consideration to the effects of that undertaking on historic properties and to the federal agency's responsibility to consider EJ in making its decision about providing, or not providing, the requested authorization or assistance.

Therefore, to ensure that the project is efficiently reviewed under Section 106, **the ACHP would like to request information from the Corps regarding the steps it has taken thus far to comply with Section 106, how the Corps is considering alternatives to the proposed undertaking at the proposed location, and how the Corps has considered the issues referenced above.**

We thank you in advance for your prompt attention to this matter. Should you have any questions or wish to discuss this matter further, please contact John T. Eddins, PhD at 202-517-0211, or by e-mail at jeddins@achp.gov, and reference the ACHP Project Number above.

Sincerely,



Jaime Loichinger
Assistant Director
Office of Federal Agency Programs
Federal Permitting Licensing and Assistance Section