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December 18, 2019

Via E-mail

Louisiana Department of Environmental Quality
Public Participation Group
602 N. Fifth Street
Baton Rouge, LA 70802
Email: deq.publicnotices@la.gov

**Re: Burial Sites of Enslaved People on Property Proposed for Formosa Plastics:
Comments on Permit Applications and Environmental Assessment Statements
Submitted by FG LA, LLC (Formosa)**

AI No.: 198351
Activity Nos: PER20150001 through PER20150015

To the Public Participation Group:

We write to you on behalf of RISE St. James to urge the Louisiana Department of Environmental Quality (“LDEQ”) to exercise all administrative power at its disposal to stop Formosa’s proposed project on local lands that contain the burials of enslaved people. As you know from RISE St. James’ resolute participation in every public meeting and public phase of the Formosa permitting process, RISE St. James is a grass-roots, faith-based organization founded in St. James, Louisiana, specifically to advocate for racial, social, and environmental justice. By virtue of their generations-long ties to the land of St. James that reaches back through the days of slavery, RISE St. James is also deeply concerned with the protection of the local sites where their community’s enslaved ancestors are buried.

RISE St. James recently learned that a former plantation property acquired by Formosa¹ holds the remains of enslaved people. The membership of RISE St. James was deeply moved to have had a long-severed connection to their ancestral histories restored. RISE St. James, however, is outraged that this land, which it deems hallowed ground, is intended for use by Formosa to develop a plastics facility and that another burial ground on the property may have already been destroyed under previous ownership. At no time, despite RISE St. James’ consistent, public engagement on this issue, did Formosa or State authorities disclose the fact to RISE St. James (or apparently to anyone else from locally affected communities) that the Formosa plant was set to be built on one or more burial grounds of enslaved people, which would have been highly relevant to land use debates about the project in the Parish. Recently revealed documents show that Formosa and the State held detailed discussions about these

¹ FG LA, LLC, is a member of the Formosa Plastics Group, a Taiwan-based conglomerate, seeking to build a massive chemical facility predicted to “triple the levels of cancer-causing chemicals” in RISE’s predominantly African American community, which is already considered one of the most polluted, toxic areas in the country. See Lylla Younes, *Polluter’s Paradise: What Could Happen if a 9.4 Billion Chemical Plant Comes to ‘Cancer Alley’* Pro Publica, Nov. 18, 2019, available at <https://www.propublica.org/article/what-could-happen-if-a-9.4-billion-chemical-plant-comes-to-cancer-alley>.

cemeteries starting as early as July 2018. The lack of candor and transparency signals a disregard for the profound significance of these cemeteries.

RISE St. James believes that other burial grounds likely exist on the sites Formosa intends to develop. Under the circumstances, those possible burial grounds are at risk of damage and destruction, including the potential removal of the remains of people who were enslaved on this land. LDEQ should know that if this unfathomable possibility comes to pass, it would cause immense, irreversible harm to the human dignity of historically enslaved people and would be an unforgivable affront to their descendants and communities in the region, including RISE St. James.

I. Site surveys into local properties acquired by Formosa for development reveal historic burial grounds of enslaved people.

Where Formosa plans to build is comprised of the former Acadia, Buena Vista/Winchester, and Elina Plantations. Formosa’s project required a federal permit from the U.S. Army Corps of Engineers, and thus it had to undergo a consultation pursuant to Section 106 of the National Historic Preservation Act of 1966 to determine the effect of the project on any historic property. 54 U.S.C. § 306108.

A. Formosa’s First Assessment:

After reviewing documents recently obtained through records requests to the Louisiana Division of Archaeology as well as Formosa’s filings with LDEQ and the U.S. Army Corps of Engineers, RISE St. James learned that Formosa initially reported to the permitting agencies in July 19, 2018 that after an “extensive cultural resources survey was done to fulfill any and all requirements under Section 106...” it was determined that “[n]o site on the property was recommended for listing on the National Register” and that there “will be no impact on cultural resources.”²

Soon after, in late July 2018, an independent researcher contacted the Division of Archeology with a more detailed historic map and pointed to where cemeteries likely existed on the Buena Vista and Acadia portions of the property.³ The Division of Archeology informed Formosa about the existence of the map and possible cemeteries and Formosa was required to undertake further site investigation.

After this concern came to light, an attorney representing Formosa was in contact with the Division of Archeology and the Louisiana Attorney General’s office in August 2018 to discuss possible courses of action in the event the burial sites were confirmed.⁴ That correspondence reveals that among the options the State presented to Formosa, if human remains were discovered, was to “protect” the area with a fence and to erect a plaque. Formosa’s attorney cautioned, however, that this would “involve relocation of the Utility Plant,”⁵ an option described as “very difficult” for Formosa. Formosa’s representative also expressed their understanding that the State grants amended permits required to remove and relocate human remains “quickly, within a matter of days.”⁶

² See Attachment A, *Environmental Assessment Statement* at pp. 27-29 and Ex. J.

³ See Attachment B, *Supp. Environmental Assessment Statement* at p. 18 and Ex. V-1 and V-2.

⁴ See Attachment C, *Email Between Office of the Attorney General and Division of Archaeology*.

⁵ *Id.*

⁶ *Id.*

RISE St. James opposes the disturbance or removal of local cemeteries of enslaved people; reverence for the lives led by historically enslaved people should be paramount.

B. *Formosa's Second Assessment:*

On January 7, 2019, as part of its supplemental Environmental Assessment Statement, Formosa advised LDEQ that on a second site investigation, it had confirmed the existence of a cemetery on the Buena Vista portion of the property.⁷ The report also confirmed that a pipeline constructed in the past 10 years and “operated by Dow Pipeline (Dow)/UCAR runs through the cemetery.”⁸

As to the burial site on the Acadia portion of the property, the report indicated that the location was now the site of a “borrow pit,” a dug-out area where the excavated material is used at another location, and the cemetery had likely been destroyed.⁹ The Division of Archeology agreed that the Buena Vista Cemetery could be demarcated by a fence and not disturbed further and had no objection to further development of the property on the Acadia Plantation.¹⁰

After reviewing the report of the second site investigation in late January 2019, the independent researcher alerted the Division of Archeology that the investigators had searched the wrong area on the Acadia property.¹¹ In May 2019, the Division of Archeology again issued permits to Formosa to conduct additional site investigations on the property.¹²

C. *Formosa's Third Assessment:*

In June 2019, Formosa site investigators reported that they discovered more remains on the Buena Vista property and had to increase the boundaries of that cemetery.¹³ They also reported that it is “highly likely burials are also situated under [a] current field road” that runs through the property.¹⁴ Formosa indicated it would fence the property and leave it undisturbed as it did not interfere with its construction plans.¹⁵

The investigators reported that they found no remains on the Acadia portion of the property.¹⁶ However, there is no indication in the records made available that the Division of Archeology sought confirmation from the independent researcher to verify that the search was undertaken in the proper location or with the correct methodology.

⁷ See Attachment B, *Supp. Environmental Assessment Statement* at p. 18.

⁸ *Id.* at Ex. V-1

⁹ *Id.*

¹⁰ *Id.*

¹¹ See Attachment D, *TerraX Final Report* at p. 7.

¹² See Attachment E, *Burial Sites Permits*.

¹³ See Attachment D, *TerraX Final Report* at p. 55.

¹⁴ *Id.* at 7.

¹⁵ See Attachment C, *Email between Office of Attorney General and Division of Archeology*, at 2.

¹⁶ See Attachment D *TerraX Final Report* at p. 55.

Based on a review of LDEQ's permit database and records associated with Formosa's permit applications, the company has not yet advised LDEQ of the last site investigation and findings. Moreover, after Formosa was alerted to the possibility of the cemeteries in July 2018, the company acquired two more tracts of land upriver from the Acadia Plantation in October and December of 2018. The proposed project would also include ancillary components such as transmission lines and pipelines which would service the facility. There is no indication in the record that the same thorough mapping process was undertaken with regard to these areas to identify other possible burial grounds.

II. RISE St. James is concerned that more burial grounds of enslaved people may exist on property owned by Formosa and that they would be at risk of harm or destruction.

Information in the publicly available records outlined in Section I above lead RISE St. James to believe that it is highly probable that still more burial grounds of enslaved people exist on Formosa properties that have not yet been identified and that may be in danger of damage or destruction. Taken together, the publicly available documents show:

- 1) Three separate site investigations, two of which were prompted by an independent researcher unaffiliated with either the State or Formosa, incontrovertibly establish the existence of graves of enslaved people on tracks of land Formosa has acquired. Each successive investigation yielded evidence of more burials.
- 2) Formosa's representatives have discussed the removal of any remains should they be found at the Acadia cemetery. It was their assessment that protecting the burial ground at the Acadia site would be "a difficult option for FG" and that, if necessary, an amended permit for the removal of human remains is "typically" granted quickly by the State, "within a matter of days."¹⁷

While site investigators believe the cemetery may have already been destroyed by past ground disturbances – unconnected to Formosa – RISE St. James is concerned that if remains are subsequently located in this area, the company may choose to move quickly to remove them.

- 3) The sanctity of the confirmed cemetery at the Buena Vista location has already been violated by an industrial pipeline and a field road that were built on the site at some point in the past 10 years before Formosa acquired the property.¹⁸
- 4) There are possibly more burial grounds at risk of being adversely affected by this project. The new tracts acquired by Formosa in October and December 2018, and the areas affected by the various pipelines affiliated with the project, do not appear to have been subjected to the same independent mapping process that led to the confirmation of the Buena Vista Cemetery.

¹⁷ See Attachment C, *Email between Office of Attorney General and Division of Archeology* at 2.

¹⁸ See Attachment D *TerraX Final Report* at p. 17, 55.

- 5) Neither RISE St. James nor apparently community in St. James has been directly informed or advised of these findings, despite having been present at every public hearing held at every parish and state meeting on the subject.

III. *LDEQ is bound by the Louisiana Constitution and state legislation to protect the burial grounds of enslaved people located on Formosa's property.*

Consistent with LDEQ's stated mission to "provide service to the people of Louisiana through comprehensive environmental protection," LDEQ must follow the will and intent of the Louisiana Constitution of 1974 ("The Louisiana Constitution") in making decisions regarding the environment. La. R.S. 30:2014(A)(4). In addition, the Louisiana Constitution protects the right of the people to preserve, foster, and promote their respective cultural origins. La. Const. Art. XII, Sec. 4. For RISE, many of whom are proud descendants of enslaved people, and members of Black communities elsewhere in the River Parishes, unmarked burial grounds are central to the acknowledgement and preservation of their cultural origins.

And while Louisiana courts hold that environmental concerns are not the only relevant consideration, the Louisiana Constitution "requires a balancing process in which environmental costs and benefits must be given full and careful consideration along with economic, social and other factors." *Save Ourselves, Inc. v. Louisiana Environmental Control Commission*, 452 So.2d at 1157 (Ls. 1984). LDEQ therefore has a heavy responsibility to carefully assess the irreversible cultural and historical injury that would result from the destruction or relocation of burial grounds of enslaved people on Formosa's property. When weighed against financial profit or corporate efficiency, RISE St. James submits that the required balancing cuts decisively in favor of LDEQ exercising its considerable administrative power to preserve this critical element of St. James Parish's history and culture.

LDEQ must also effect the will of the Louisiana legislature, which enacted the Louisiana Unmarked Human Burial Sites Preservation Act ("The Burial Sites Preservation Act") to address the "growing threat to the safety and sanctity of unmarked burial sites," including from "economic development of the land." The legislature further intended that "all human burial sites shall be accorded equal treatment, protection, and respect for human dignity without reference to ethnic origins, cultural backgrounds, or religious affiliations." La. R.S. 8:672. LDEQ must recognize that the legislature's unequivocal concern for equal treatment at burial sites is most pronounced under these extraordinary circumstances where a burial site of enslaved people may be in jeopardy.

The Burial Sites Preservation Act also imposes clear obligations on the State should human remains be identified at the Acadia site. Indeed the Burial Sites Preservation Act requires the Secretary of the Department of Culture, Recreation and Tourism, or their designee, to "make reasonable efforts to identify and locate persons who can establish direct kinship with or descent from the individual whose remains have been found." La. R.S. 8:681(2). Direct relations or descendants have the right to control the disposition of the remains if they must be removed. La. R.S. 8:681(4)(a-c). If no direct relation or descendant can be found and the remains are not determined to have "affinity" with a Native American tribe then the secretary determines the proper disposition. La. R.S. 8:681(4)(a-c).

Lastly, LDEQ should be guided by the Louisiana Attorney General's unambiguous support for the preservation of local burial grounds. The Attorney General observed that cemeteries contain the "history

of their respective communities” and “lead us to a better understanding of our own culture: who we are, where we have come from, and where we are going... We, the living, are custodians of the dead and the stories that they can tell, and we must strive to protect those stories.”¹⁹ This is precisely the work that Rise St. James is doing in calling upon LDEQ to protect the Buena Vista, Acadia, and other possible burial grounds on Formosa property.

IV. *Disregard throughout history for the burial grounds of enslaved people persists to this day*

Formosa’s site investigators believe that the Buena Vista burial ground is likely to have been a “slave cemetery” because it lacks “verifiable indications (headstones or through archival research) of who was buried in the cemetery.” Previous owners of the plantation, however, were confirmed to have been buried in other locations.²⁰ That conclusion is supported by reference to the 1850 census that one of the plantation owners, Benjamin Winchester, “owned dozens of slaves.”²¹ The investigators also believe the possible burial site on the Acadia plantation would have been a “slave cemetery” because “no record was kept for its location,” but the previous owners of the plantation were buried elsewhere.²² That the *absence* of headstones, records, or other commemoration is an apparent hallmark of burial grounds of enslaved people is tragic.

Historic disregard for the burial sites of enslaved people – especially when compared to the owners of the plantations – is reflected in today’s dismissal of the cultural and historical legacy these sites hold for the descendants of enslaved people in St. James, but also for the United States and the world.²³ Among the criteria for inclusion on the National Register of Historic Places – the federal government’s official list of sites deemed worthy of preservation – are sites “associated with events that have made a significant contribution to the broad patterns of our history;” or that are “associated with the lives of persons significant in our past;” or “that have yielded or may be likely to yield, information important in prehistory or history.”²⁴ Yet burial grounds of people enslaved on the plantations where they were forced to live, work tirelessly, die, and then be buried, are not, as a matter of course, recommended as eligible for listing on the National Register.²⁵

Indeed, even after the burial site was confirmed on the Buena Vista Property, the Army Corps of Engineers concluded that none of the sites investigated on the Formosa property were eligible for listing on the National Register of Historic Places, a conclusion apparently shared by Formosa and the state

¹⁹ Attorney General Opinion No. 07-0183, available at <http://www.lcb.state.la.us/ago/ago07-0183.pdf>.

²⁰ See Attachment D *TerraX Final Report* at p. 17, 55.

²¹ *Id.* p. 18.

²² *Id.* at 17.

²³ See Terry L. Jones, *Researcher maps hidden graveyards of slaves who once tilled Louisiana sugar cane fields*, *The Advocate*, Feb. 5, 2017, (“The state of the cemeteries further underscores how those buried in them over the years have been denied their dignity even in death.”) available at https://www.theadvocate.com/baton_rouge/news/communities/westside/article_7f0fd2e8-e966-11e6-91bd-7b5708a1dc45.html; See also, Evan Nicole Brown, *The Hidden-History of African-American Burial Sites in the Antebellum South: Enslaved people used codes to mark graves on plantation grounds*, *Atlas Obscura*, Oct. 25, 2018, available at <https://www.atlasobscura.com/articles/africanamerican-grave-markers>.

²⁴ <https://nationalregisterofhistoricplaces.com/faq.html>

²⁵ See, e.g., Brenda Barrett, *The Crying Need to Establish an African American Burial Grounds Network*, *Living Landscape Observer*, April 28, 2019, available at <https://livinglandscapeobserver.net/the-crying-need-to-establish-an-african-american-burial-grounds-network/>.

historic preservation office.²⁶ Because the “documentation and protection of African-American burial grounds have been shamefully neglected,” members of Congress introduced the African American Burial Grounds Network Act to address that historic injustice – an injustice that is at risk of replaying itself now on the site of this proposed facility.²⁷

V. Conclusion

For all of the reasons outlined above, LDEQ must deny Formosa’s air permit applications. LDEQ must further ensure that any future permit applications for these sites, and indeed all future projects that come under evaluation, are subjected to the most up-to-date, rigorous, scientific and archaeological methods for determining the existence of unmarked burial grounds in consultation with representatives of affected local communities.

RISE St. James makes these demands as custodians of the legacy of locally enslaved people and carriers of their remarkable stories of survival and unbreakable human dignity against unspeakable odds. RISE St. James is striving to protect that honorable legacy against the threat the planned Formosa facility presents to their community, past and present, and to speak for those who came before them as their struggles are one.²⁸

Respectfully,



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²⁶ See also, Attachment B, *Supp. Environmental Assessment Statement* at p. 3 and Ex. V.

²⁷ See Press Release, *Reps. McEachin and Adams Introduce the ‘African American Burial Grounds Network Act,’* Feb. 13, 2019, available at <https://mceachin.house.gov/media/press-releases/reps-mceachin-and-adams-introduce-african-american-burial-grounds-network-act>; See also, H.R. 1179: African American Burial Grounds Network Act, available at <https://www.congress.gov/bill/116th-congress/house-bill/1179/text>.

²⁸ As the Public Participation Group knows, RISE St. James has previously submitted comments that address other compelling reasons to deny Formosa permits for this facility, including the racially discriminatory siting of this and other facilities in the Fifth and Fourth districts, which has produced ongoing, devastating effects for local Black communities, Formosa’s alarming track record of serious environmental accidents, its violations at facilities in the United States and other countries, and the enormous increase in the emission of greenhouse gases and other pollutants that the facility would produce if allowed in St. James. See Comments Submitted by Earth Justice on behalf of RISE St. James et al, August 12, 2019, available at <https://edms.deq.louisiana.gov/app/doc/view.aspx?doc=11817927&ob=yes&child=yes>; 2nd Supplemental Comments Set of Comments Submitted by Earth Justice on behalf of RISE St. James et al, November 26, 2019, available at <https://edms.deq.louisiana.gov/app/doc/view.aspx?doc=11960006&ob=yes&child=yes>

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AFFIDAVIT

STATE OF LOUISIANA

PARISH OF ORLEANS

BEFORE ME, the undersigned authority, a duly qualified and commissioned Notary Public in and for the Parish and State, personally came and appeared, PAMELA SPEES, who, after being duly sworn, did state that:

1. I am an attorney at the Center for Constitutional Rights (“CCR”), located at 666 Broadway, 7th Floor, New York, NY 10012, licensed in New York and Louisiana.
2. I submit this affidavit in support of CCR’s Letter to the Louisiana Department of Environmental Quality Public Participation Group on behalf of RISE St. James, dated December 18, 2019.
3. Attached as Attachment A is a true and correct copy of excerpts from the Environmental Assessment Statement Submitted by FG LA LLC July 19, 2018 (“Environmental Assessment Statement”).
4. Attached as Attachment B is a true and correct copy of excerpts from the Supplemental Environmental Assessment Statement Submitted by FG LA LLC January 7, 2019 (“Supp. Environmental Assessment Statement”).
5. Attached as Attachment C is a true and correct copy of an email between Ryan Seidemann, Office of the Attorney General, and Chip McGimsey, Division of Archeology, dated

August 10, 2018 (“Email between Office of Attorney General and Division of Archeology”) produced to CCR via a Louisiana Public Records Request on behalf of RISE St. James dated November 20, 2019.

6. Attached as Attachment D is a true and correct copy of the Final Report Prepared by TerraX, “Archaeological Monitoring and Mechanical Stripping of the Acadia And Buena Vista Cemeteries St. James Parish, Louisiana,” dated June 2019 (“TerraX Final Report”).

7. Attached as Attachment E is a true and correct copy of the Division of Archaeology Unmarked Human Burial Sites Permits, dated May 3, 2019 (“Burial Sites Permits”).



Pamela C. Spees

SWORN TO AND SUBSCRIBED BEFFORE ME

THIS 18 DAY OF DECEMBER, 2019.



NOTARY PUBLIC
William P. Quigley
Attorney & Notary Public
(#7769)
State of Louisiana
My Commission is for Life

ATTACHMENT A

FG has avoided and minimized construction in wetland areas as much as possible. Specifically, the production plants will be constructed north of Hwy 3127 and will therefore avoid impacts to the forested wetlands south of Hwy 3127. Also, the plants will be constructed to the west of the forested wetlands on the east side of the property such that impacts on those forested wetlands are also avoided. See Exhibit E. In fact, based on the configuration of the project, only about 63 acres (consisting mostly of borrow pits) of the 909 acres delineated as wetlands, or only about 6%, will be permanently impacted. See Exhibit H.

Additionally, FG has submitted a joint permit application to the Louisiana Department of Natural Resources and the US Army Corps of Engineers (USACE) to obtain permits under the Clean Water Act Section 404 and the Rivers and Harbors Act Section 10 for unavoidable wetland impacts. FG has agreed to purchase credits in an existing USACE approved mitigation bank to compensate for any loss of wetlands or other waters. In this manner, and as approved by the USACE, there will be 'no net loss' of aquatic function or wetlands as a result of the construction and operation of the Facility. See Exhibit H.

b. Endangered Species

FG conducted an extensive assessment of the potential impact as to threatened and endangered species. The assessment consisted of literature reviews, field studies, and drone flights. See Exhibit I.

The literature review and the United States Fish and Wildlife Service confirm that there is no designated critical habitat for threatened and endangered species in the project area.

The United States Fish and Wildlife Service identified three species (the West Indian Manatee, the Atlantic sturgeon, and Pallid sturgeon) that could potentially be present within the project area (that is, the Mississippi River). Based on field inspections and studies, no impact was found to the West Indian Manatee and the Atlantic sturgeon as the river in this location is simply not a suitable habitat. Nevertheless, care will be taken during the Pallid sturgeon's spawning season and FG will design its water uptake structure in conformance with 40 CFR Part 316 requirements, thus limiting potential impacts.

The bald eagle is no longer threatened or endangered but is protected under, among others, the Bald and Golden Eagle Protection Act. It is possible that nesting areas may occur in the forested wetlands south of Highway 3127. If so, a 660 foot buffer zone must be provide between the nest and any activity. However, drone surveillance up to 1,000 feet from the project site confirmed that there were no nests within the expanded buffer zone.

As a result, no impacts to state or federally listed species are expected.

c. Cultural Resources

An extensive cultural resources survey was done to fulfill any and all requirements under Section 106 of the National Historic Preservation Act. As part of the survey, the assistance and input of the Division of Archaeology of the Louisiana Department of Culture, Recreation, and Tourism

was obtained. The survey consisted of literature reviews and field investigations. As part of the field investigation, over 3,400 shovel tests were conducted to determine the types and quantities of artifacts that may be present. See Exhibit J.

No site on the property was recommended for listing on the National Register of Historic Properties. As a result, there will be no impact on cultural resources.

8. Aesthetics

Noise generated by the proposed Facility is expected to be comparable to existing conditions and it is not expected that the presence of the Facility will impact the visuals of the surrounding area.

a. Noise

The Louisiana Environmental Quality Act defines noise as “the intensity, duration, and the character of sounds from all sources.” La. R.S. 30:2053(5). FG commissioned a study to determine whether the Facility, as a typical industrial activity, would create or cause substantial or detrimental increases in noise in the area. See Exhibit K.

Because the Facility has not been constructed and is not operational, a field study was conducted using a typical industrial facility. Readings were taken at the fence-line, one-half mile away, and one mile away. Profile, or data, points were taken at one second intervals over a thirty minute time frame, yielding at least 1,800 data points for each location. The average of these data points yielded readings from 58.1 decibels (dBA) (fence-line), 57.4 dBA (one-half mile), and 54.5 dBA (one mile). See Exhibit K, Table 5. These average noise readings are roughly akin to everyday noises such as those from heavy traffic at 300 feet or a large business office. See Exhibit K, Figure 1.

A fourth reading was taken at the front gate of the Fifth Ward Elementary School, which will be over one mile from the nearest production unit at the Facility. Again, over 1,800 data points were obtained over thirty minutes. The average of all such readings yielded an average of 48.8 dBA. Obviously, the location of an industrial facility will not appreciably alter the ambient noise in the area.

The readings were also compared to the Occupational Safety and Health Administration (OSHA) noise exposure levels for workers: the permissible exposure level (PEL) of 90 dBA over a time weighed average (TWA) eight-hour work shift and the action level (AL) of 85 dBA over a TWA eight-hour work shift. At no time during any monitoring period was the OSHA PEL or AL ever exceeded. Further, the averages noted above were well below the median dBA of about 88.74 in the manufacturing sectors, as historically measured by OSHA. See Exhibit K, Tables 2 – 5.

Peak noise levels were also recorded at each monitoring station. However, each of these peaks was not associated with industrial activity. Instead, each was caused by vehicle traffic passing the monitoring device. Even so, the peak noise readings were all below OSHA’s permissible noise exposure level for fifteen minutes. See Exhibit K, Table 6.

EXHIBIT J

**SUMMARY REPORT
INTENSIVE ARCHEOLOGICAL SURVEY
OF THE PROPOSED PROJECT SITE
FOR
FG LA LLC
ST. JAMES PARISH, LOUISIANA**

PREPARED FOR:
FG LA LLC

PREPARED BY:
**ZEPHYR ENVIRONMENTAL CORPORATION
2600 VIA FORTUNA, SUITE 450
AUSTIN, TEXAS 78746**

LOUISIANA FIRM LICENSE NUMBER: EF 0003706

JUNE 2018



SUMMARY REPORT INTENSIVE ARCHEOLOGICAL SURVEY

This Summary Report provides an overview of the archaeological studies performed by Cox McLain Environmental Consulting, Inc. (CMEC) on behalf of Zephyr Environmental Corporation and FG LA, LLC (FG) on property in St. James Parish (the Property). This Summary Report is based on the report prepared by Cox McLain Environmental Consulting, Inc. (CMEC), titled *Intensive Archeological Survey of The Proposed FG LA LLC Project Site St. James Parish, Louisiana*, dated October 24, 2017 (the CMEC Report), and the subsequent field work done in May and June 2018 by CMEC.

The Property is the site of the Sunshine Project, which is a proposed industrial facility. The Property consists of 2,319 acres and is comprised of parcels purchased or to be purchased from Mosaic, Gaviion, and Union Pacific. See Exhibit A: CMEC Report, Figure 2.

The Sunshine Project is subject to Section 106 of the National Historic Preservation Act (NHPA) as FG is seeking a permit from the U.S. Army Corps of Engineers. To fulfill the requirements of Section 106, intensive archaeological and cultural resources surveys were conducted across the Property in accordance with the standards and guidelines of Section 106 and the Louisiana State Historic Preservation Office (SHPO). The purpose of these efforts is to determine if any portion of the Property is eligible for inclusion on the National Register of Historic Places (NRHP). The effort consisted of a review of background research, in-depth coordination with SHPO, and on-site surveys conducted over three periods of time: March – May 2017, August 2017, and May – June 2018.

Prior to conducting the on-site surveys, research regarding prior efforts was conducted. On the Property, there were several previously identified areas of interest designated as Areas 16SJ28, 16SJ59, 16SJ63, 16SJ65, and 16SJ74. Ultimately, Area 16SJ63, 16SJ65, and 16SJ74 were combined with or subsumed into Area 16SJ28, leaving only Area 16SJ28 and Area 16SJ59. Based on prior surveys, none of these areas were recommended as eligible for inclusion.

In the current effort, the previously identified areas of interest and additional areas of the Property, including planted sugar cane fields and inundated bottomlands, were subject to onsite surveys consisting of shovel tests and mechanized excavations. The placement and density of the subsurface investigation varied based on the saturation of the soil, soil types, previous disturbances, the presence or absence of newly identified or previously identified sites, SHPO coordination, and other factors. In all, there were over 3,400 shovel tests throughout the Property.

In Area 16SJ28, the shovel tests found some artifacts similar to those previously recorded, such as crumbled brick, window glass, ceramics, and fragments of domestic materials. However, because of the past excavations, present site conditions, and lack of features or intact deposits, this area has no additional research potential and is not recommended to be eligible for listing

**INTENSIVE ARCHEOLOGICAL SURVEY
OF THE PROPOSED PROJECT SITE
ST. JAMES PARISH**

on the NRHP. No materials were found in Area 16SJ59, which is thought to now be destroyed due to prior activity.

As a result of the on-site surveys, two additional areas were identified: Areas 16SJ109 and 16SJ110. See Exhibit A. In Area 16SJ109, the shovel tests found artifacts such as fragments of domestic materials and glass, indicative of occupation of the area in the late nineteenth century to mid-twentieth century. One segment within this area was the site of a sugar mill and mechanical scraping was performed. No evidence of the sugar mill foundation was found. However, bones were found, halting excavation until they could be identified as non-human. Materials were found in Area 16SJ110 from the late nineteenth century to early twentieth century and from the mid-twentieth century to the late-twentieth century. However, they were mixed together and may represent a dumping episode.

The CEMC Report of these activities was submitted to the Louisiana Department of Culture and, Recreation and Tourism, Division of Archeology, for review and comment. On November 21, 2017, SHPO concurred that "no historic properties will be impacted in the remainder of the project area." Exhibit B. However, SHPO recommended that additional field work be conducted in Area 16SJ28 (at Locus 7) and Area 16SJ109 (at Locus 2) to determine their eligibility for nomination to the NRHP. The additional work was done in May – June 2018 and the results are summarized below.

The additional work recommended by SHPO at the two locations included shovel testing, hand excavations, and mechanical excavations in May - June 2018. CMEC crews excavated 99 shovel tests between the two sites: 34 shovel tests in Area 16SJ28 (at Locus 7) and 65 shovel tests in Area 16SJ109 (at Locus 2). Additionally, approximately 120 meters of backhoe-excavated trenches and two 1-x-1-meter hand-excavated units were placed at each loci.

Surveys at Area 16SJ28 (at Locus 7) demonstrated that there are no buried or intact features associated with the historic occupation and that artifact concentrations are densest at or just below (0 to 15 centimeters) the current ground surface, which places them entirely within the agricultural plow zone. None of the shovel tests excavated at this locus contained cultural materials and the backhoe trenches and hand-dug units contained no evidence of intact deposits or features below the ground surface. This locus will be recommended not eligible for inclusion on the NRHP.

Surveys at Area 16SJ109 (at Locus 2) demonstrated that there are no buried or intact features associated with historic occupation, and that artifact concentrations are densest at or just below (0 to 15 centimeters) below ground surface. Although a handful of shovel tests at Locus 2 of Area 16SJ109 contained cultural materials, these materials were all recovered from disturbed contexts. Moreover, the backhoe trenches and hand-dug units contained no evidence of intact deposits or features below the ground surface. This locus will be recommended not eligible for inclusion on the NRHP.

**INTENSIVE ARCHEOLOGICAL SURVEY
OF THE PROPOSED PROJECT SITE
ST. JAMES PARISH**

Based on the prior investigations, the intensive current investigations, and the extensive prior use of the Property, there is no research potential remaining and the various areas are not eligible for inclusion on the National Register of Historic Places. SHPO concurred as to the Property based on the CEMC Report and is expected to similarly concur as to the two specific locations based on the additional investigations in May - June 2018.

**INTENSIVE ARCHEOLOGICAL SURVEY
OF THE PROPOSED PROJECT SITE
ST. JAMES PARISH**

**EXHIBIT A
CMEC REPORT, FIGURE 2**

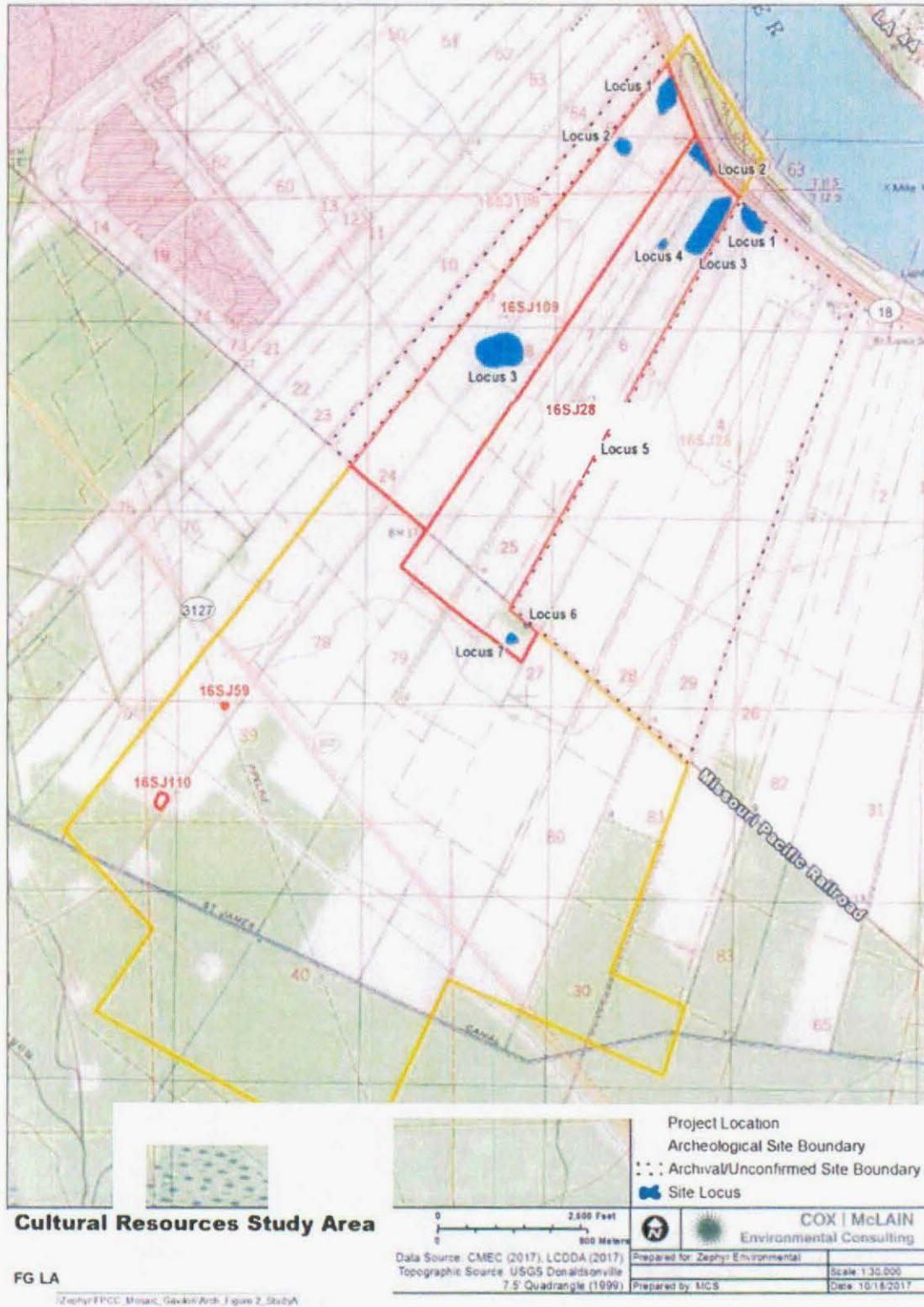


Figure 2: Map of Project Area and Study Area (topographic map).

**INTENSIVE ARCHEOLOGICAL SURVEY
OF THE PROPOSED PROJECT SITE
ST. JAMES PARISH**

**EXHIBIT B
SHPO LETTER**



BILLY NUNGESSER
LIEUTENANT GOVERNOR

State of Louisiana
OFFICE OF THE LIEUTENANT GOVERNOR
DEPARTMENT OF CULTURE, RECREATION & TOURISM
OFFICE OF CULTURAL DEVELOPMENT
DIVISION OF ARCHAEOLOGY

RENNIE S. BURAS, II
DEPUTY SECRETARY

21 November 2017

Haley Rush
Principal Investigator
Cox/McClain Environmental Consulting
321 S. Boston Ave., Suite 300
Tulsa, OK 74103

RE: Draft Report 22-5780

*Phase I Archaeological Survey of the Proposed FG LA LLC Project Site, with Phase II Testing at 16SJ109,
St. James Parish, Louisiana*

Dear Ms. Rush:

We acknowledge receipt of your letter dated 27 October 2017 and one copy of the above-referenced report. We have reviewed the report and offer the following comments.

In Appendix B, please use 16SJ28 Locus 6 in the text and figures rather than 16SJ74

Page 4 – last paragraph of the Brief Overview; in the first sentence, please state whether or not you concur with the previous eligibility recommendation.

Pages 19 and 23 – it would be helpful to indicate which archaeological sites are associated with each plantation.

Page 42 – in the curation statement, please indicate where the associated records will be curated.

For Tables 6 and 8, it would be appropriate to break out the individual loci at 16SJ28 and 16SJ109 as each has a separate eligibility determination.

Page 62/Figure 16 – in the discussion of 16SJ28 Locus 1, please explain why the site was not delineated at 10 m intervals following the procedure outlined on pages 41-42. It would be helpful to provide a map showing how the Locus overlies buildings on the historic maps.

Page 64 – It would be helpful to provide a map showing how the Locus overlies buildings on the historic maps.

Page 66 – the discussion of the survey methodology (top of page 66) states delineation testing was done at 10 m intervals, but Figure 18 illustrates only ST's at 30-40 m intervals. If the map scale is correct, please explain why testing at 10 m intervals was not conducted. Why are the site boundaries greater than the area of scatter (except in the SW end)?

Figure 21 – why are the site boundaries greater than the extent of positive shovel tests and surface scatter?

Page 70/Figure 23 – it would have been appropriate to place one or more shovel tests within the recorded boundaries of site 16SJ65.

Page 72 – since you are including the TerraXploration report as an element of this report, it would be appropriate to summarize that report and its findings here, including their Figure 5.3.

Page 74 – the discussion of Locus 7 states that shovel testing was done at 30 and 10 m intervals across the site, but Figure 25 does not support this statement. While there are two rows of tests in the approximate middle of the scatter at 10 m intervals on a N/S axis, they are not at 10 m intervals E/W, nor was the site delineated at 10 m intervals. Please explain the testing strategy. It is also noted that the site boundaries for this locus are the same as the area of surface scatter, while other sites show the site boundaries well outside the scatter limits.

Page 76 – it would have been appropriate to place one or more shovel tests within the boundaries of the previously recorded site.

Page 79 – it would be correct to state that there are three loci within the surveyed portion of 16SJ109.

Page 82/Figure 31 – the shovel test delineation strategy does not meet the Division's expectations. Delineation is not just the boundary but is expected throughout the entirety of the site. The text states there were eleven positive tests but only four are shown on Figure 31.

How many artifacts were recovered from the surface and how many from the shovel tests?

Pages 86 – what wasn't Locus 2 delineated by 10 shovel tests as outlined in the project methodology on page 41-42? Why are the site limits shown well outside of the surface scatter limits?

Page 88-91/Figure 36 – why was delineation shovel testing at 10 m intervals not conducted at this locus? Unlike some other loci on this project, delineation testing was not even conducted along the scatter boundaries. Please explain the rationale for placing the trenches at these locations.

Figure 43 – why is the site boundary shown extending well beyond the area of surface scatter?

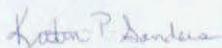
Page 103 – this is the first mention that many of the 16SJ28 historic buildings are likely eroded away or under the modern levee; it would be helpful, perhaps in the background discussion of this site, to provide a map showing this landscape change.

We concur that Loci 1, 2, 3, 4, 5, and 6 at 16SJ28 are not eligible for nomination to the National Register of Historic Places. We further concur that site 16SJ59, 16SJ110, and Loci 1 and 3 at 16SJ109 are not eligible for nomination to the National Register. We recommend that 16SJ28 Locus 7 and 16SJ109 Locus 2 be considered undetermined with respect to their eligibility for nomination to the National Register. For each of these two loci, they exhibit a higher artifact density than other sites on this project, the majority of the artifacts are domestic in nature, the assemblage includes a number of items that may reflect a mid-1800s occupation, and they are spatially discrete artifact scatters. The limited shovel testing undertaken within the limits of each scatter do not provide sufficient assessment of the potential for features or other intact deposits to be preserved below the plow zone. While each could be a dump associated with the larger plantation, as the report notes, each could also be a short-term occupation that is not shown on any historic maps.

With the exception of 16SJ28 Locus 7 and 16SJ109 Locus 2, we concur that no historic properties will be impacted in the remainder of the project area. We recommend that additional work be undertaken at the two loci noted above to determine their eligibility for nomination to the National Register.

We look forward to receiving one bound hard copy of the final report, along with a pdf copy. If you have any questions, please contact Chip McGimsey at cmcgimsey@crt.la.gov or 225-219-4598.

Sincerely,



Kristin Sanders
Deputy State Historic Preservation Officer

ATTACHMENT B

As a result, to the extent that listed species or other wildlife may be present, the specific steps noted above will be taken to minimize and/or eliminate any potential impacts.

d. Cultural Resources

FG has worked extensively with the Division of Archaeology of the Louisiana Department of Culture, Recreation, and Tourism regarding potential cultural resources within the project area. As part of the field investigation, over 3,400 shovel tests were conducted to determine the types and quantities of artifacts that may be present. See Exhibit J. The Division of Archaeology concurred that no site on the property was recommended for listing on the National Register of Historic Properties and that no historic properties would be impacted by the Project. See Exhibit J. However, it did recommend that additional work be conducted in two specific areas (Locus 7 of site 16SJ28 and Locus 2 of site 16SJ109). Additional work was performed in these two areas and the Division of Archaeology has now concurred that the two areas are not recommended for listing. See Exhibit V.

After submittal of the original EAS, a map was submitted to the Division of Archaeology suggesting the possibility that two cemeteries, the Acadia Cemetery and Buena Vista Cemetery, were once present within the project area. See Exhibit V-1.

The Acadia Cemetery was located in what is now a borrow pit, which was dug before FG purchased the property. Additional field work was done and no evidence of a cemetery (i.e., human remains or funerary objects) was found. See Exhibit V-1. The Division of Archaeology has no objections to future development in the area. See Exhibit V-2.

The area identified as Buena Vista Cemetery is located on FG's eastern property line, within the 300 foot internal buffer zone. As a result, no construction will occur within this area. However, a pipeline owned and operated by another company under a preexisting servitude currently traverses the potential location. To protect the area from any activities initiated by FG, FG has fenced off the area over which it has control so that there will be no disturbance from FG or its contractors. The Division of Archaeology agreed that this approach "will demarcate the cemetery location from future development." See Exhibit V-2. At a point in the future, FG plans to properly examine the area and will comply with all applicable rules and procedures for relocation, if necessary. See Exhibits V-1 and V-2.

EXHIBIT V



BILLY NUNGESSER
LIEUTENANT GOVERNOR

State of Louisiana
OFFICE OF THE LIEUTENANT GOVERNOR
DEPARTMENT OF CULTURE, RECREATION & TOURISM
OFFICE OF CULTURAL DEVELOPMENT
DIVISION OF ARCHAEOLOGY

KRISTIN P. SANDERS
ASSISTANT SECRETARY

9 November 2018

Mike Horvath
Staff Biologist
Power Engineers, Inc.
2600 Via Fortuna, Suite 450
Austin, TX 78746

RE: Draft Report
La. Division of Archaeology Report 22-6100
Phase II Archaeological Testing of Sites 16SJ28 and 16SJ109 at the Proposed FG LA LLC Project Site, St. James Parish, Louisiana

Dear Mr. Horvath:

We acknowledge receipt of your letter dated 23 October 2018 and one copy of the above-referenced report. We have reviewed the report and have no comments to offer.

We concur that Locus 7 of site 16SJ28 and Locus 2 of site 16SJ109 are not eligible for nomination to the National Register of Historic Places.

We look forward to receiving one bound copy of the final report with a pdf copy. If you have any questions, please contact Dr. Chip McGimsey at cmcgimsey@crt.la.gov, or 225-219-4598.

Sincerely,

A handwritten signature in blue ink that reads "Kristin P. Sanders".

Kristin P. Sanders
State Historic Preservation Officer

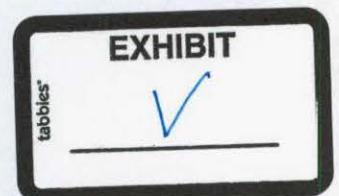


EXHIBIT V - 1



PROVIDENCE

October 25, 2018

Charles R. McGimsey, Ph.D.
State Archaeologist
Division of Archaeology
Office of Cultural Development
Louisiana Department of Culture, Recreation and Tourism
P.O. Box 44247
Baton Rouge, LA 70804

RECEIVED

OCT 25 2018

ARCHAEOLOGY

Via Electronic Mail: cmcgimsey@crt.la.gov

Re: Completed and Proposed Preservation Actions
Acadia and Buena Vista Cemeteries
FG LA LLC – Proposed St. James Facility
Welcome, St. James Parish, Louisiana
Providence Project Number: 140-019

Dear Dr. McGimsey:

This letter outlines FG LA LLC's (FG's) assessment and proposed actions regarding preservation of the Acadia and Buena Vista Cemeteries identified within the footprint of FG's proposed St. James Facility in Welcome, St. James Parish, Louisiana. Site preparation and facility construction will begin upon receipt of all required permits, including but not limited to the Louisiana Department of Natural Resources (LDNR) Office of Coastal Management (OCM) Coastal Use Permit and the U.S. Army Corps of Engineers Section 10/404 Permit for which cultural resource issues must be addressed.

FG was made aware of these historical cemeteries by the Department of Culture, Recreation and Tourism, Office of Cultural Development, Louisiana Division of Archeology (the Division) after an independent researcher provided an 1878 map depicting these cemeteries to the Division. **Attachment 1** depicts the historic locations of the cemeteries, including 100-foot buffers, within the proposed FG St. James Facility footprint.

Acadia Cemetery

As shown in **Attachment 2**, the historic location of the Acadia Cemetery appears to have been within the area of a previously-excavated borrow pit that is approximately ten feet deep and filled with water. (As noted in FG's Coastal Use Permit application filings, the borrow pit was excavated prior to FG's ownership of the property, and not by FG.) Because FG's activities during site preparation and facility construction would result in unavoidable disturbance of the land on which the Acadia Cemetery was historically situated, the Division required further evaluation to delineate the boundaries of the cemetery (if any remains were found) and to relocate human remains and funerary objects, if applicable.

On behalf of FG, Providence contracted TerraXplorations, Inc. (TerraX) for an investigation of the Acadia Cemetery. On September 25, 2018, TerraX submitted a Burial Permit Application to the Division describing the proposed research design for mapping and delineation of the cemetery in accordance with Section 676.C of the Louisiana Unmarked Human Burial Site Preservation Act (Revised Statute 8:671 – 681). The Burial Permit was

Providence Engineering and Environmental Group LLC

WWW.PROVIDENCEENG.COM

140-019-001NG Cemeteries MOU

EXHIBIT

tabbles®

V-1

Charles R. McGimsey, Ph.D.

October 25, 2018

Page 2 of 2

issued by the Division on October 1, 2018. Excavation and trenching were completed along the northern and western margins of the borrow pit in accordance with the Burial Permit from October 8 through October 12, 2018. TerraX provided all necessary personnel and equipment to conduct the investigation. Division representatives observed excavation and trenching on October 9, 2018. No evidence of human remains or funerary objects was identified.

In addition to fieldwork, archival research is being conducted. This research will involve a search of census records, histories, previous reports, and courthouse records. A detailed report of the work completed and findings will be prepared and submitted to the Division. As no evidence of human remains or funerary objects was found, it is our understanding that site preparation and construction in this area can proceed once applicable permits are obtained.

Buena Vista Cemetery

As shown in **Attachment 3**, the Buena Vista Cemetery appears to straddle the eastern property boundary, with a portion of the cemetery being situated on FG's property. The remaining portion appears to be located on the adjacent Gavilon Tract. In addition, a liquid petroleum gas pipeline operated by Dow Pipeline Company (Dow)/UCAR runs through the cemetery, parallel to the property boundary.

FG's current site preparation and construction plans do not include disturbance of this area of the property. However, in order to mitigate against any potential indirect impacts associated with site preparation and construction, fencing will be installed. Should FG desire to relocate the cemetery at some point in the future (under Division-approved Burial and Cemetery Permits), the appropriate approvals and permits would be applied for from the Division, and fencing would remain in place until cemetery relocation, as applicable.

Dow safety representatives have advised FG that fencing of their right-of-way is inappropriate due to safety concerns. Accordingly, a U-shaped fence will be installed up to the eastern property boundary, less and except the 30-foot easement for the Dow (UCAR) pipeline. In addition, it is our understanding that the portion of the cemetery and the 100-foot buffer on the Gavilon Tract is not required to be fenced, as the owners of this tract have no current plans to disturb this area. It is FG's understanding that the Division will have separate agreements in place with Dow and the owners of the Gavilon Tract regarding their responsibilities for protection of the Buena Vista Cemetery outside of this MOU.

On behalf of FG, Providence will design the fence, provide construction stake-out services for the selected fence contractor, and provide oversight of fence installation to ensure fencing is installed in the proper locations and per design specifications. Providence will prepare a brief letter report for submittal to the Division documenting fencing installation.

On behalf of FG, Providence respectfully requests the Divisions' concurrence that the assessment completed by FG of the Acadia Cemetery and the proposed actions for the Buena Vista Cemetery satisfy the Divisions' requirements for cemetery protection and preservation. If you have any questions, please contact Paul Clifton or me at (225) 766-7400.

Best Regards,



Melanie Hanks

Site Evaluation and Remediation Services Director

Providence Engineering and Environmental Group LLC

Providence Engineering and Environmental Group LLC

WWW.PROVIDENCEENG.COM

140-019-001NG Cemeteries MOU

ATTACHMENTS



Legend

- Property Boundary
- Historical Cemetery Location
- 100' Buffer

Reference

Base map comprised of Bing Maps aerial imagery from (c) 2018 Microsoft Corporation and its data suppliers. Cemetery locations provided from TerraX.



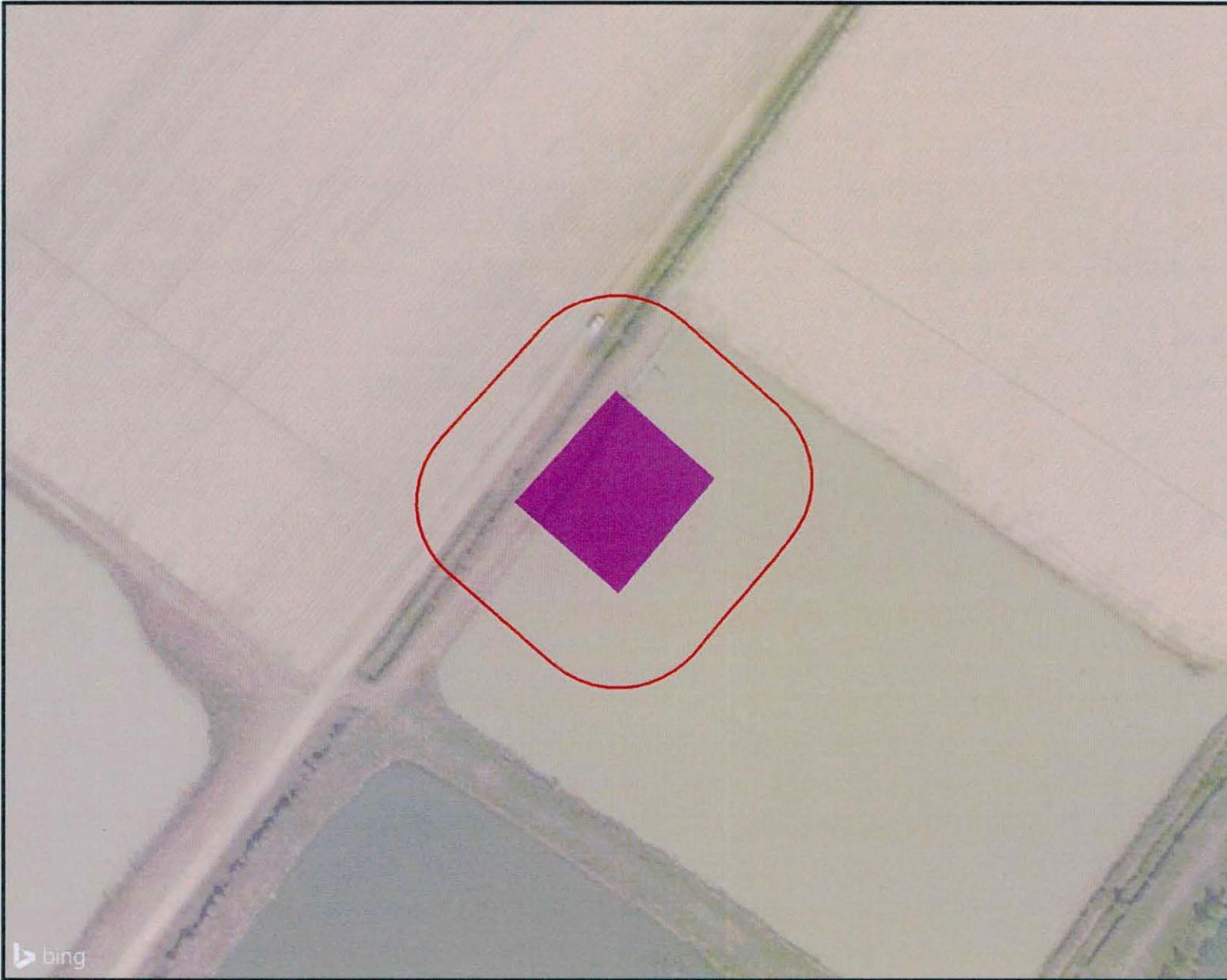
Historical Cemeteries Location Map

Memorandum of Understanding
Welcome, St. James Parish, Louisiana

FG LA LLC
Proposed St. James Facility



Drawn By	LMM	10/23/18
Checked By	MMH	10/23/18
Approved By	MMH	10/23/18
Project Number		1
140-019		
Drawing Number		
140-019-B003		Attachment

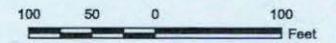


Legend

-  Historical Cemetery Location
-  100' Buffer

Reference

Base map comprised of Bing Maps aerial imagery from (c) 2018 Microsoft Corporation and its data suppliers. Cemetery location provided from TerraX.



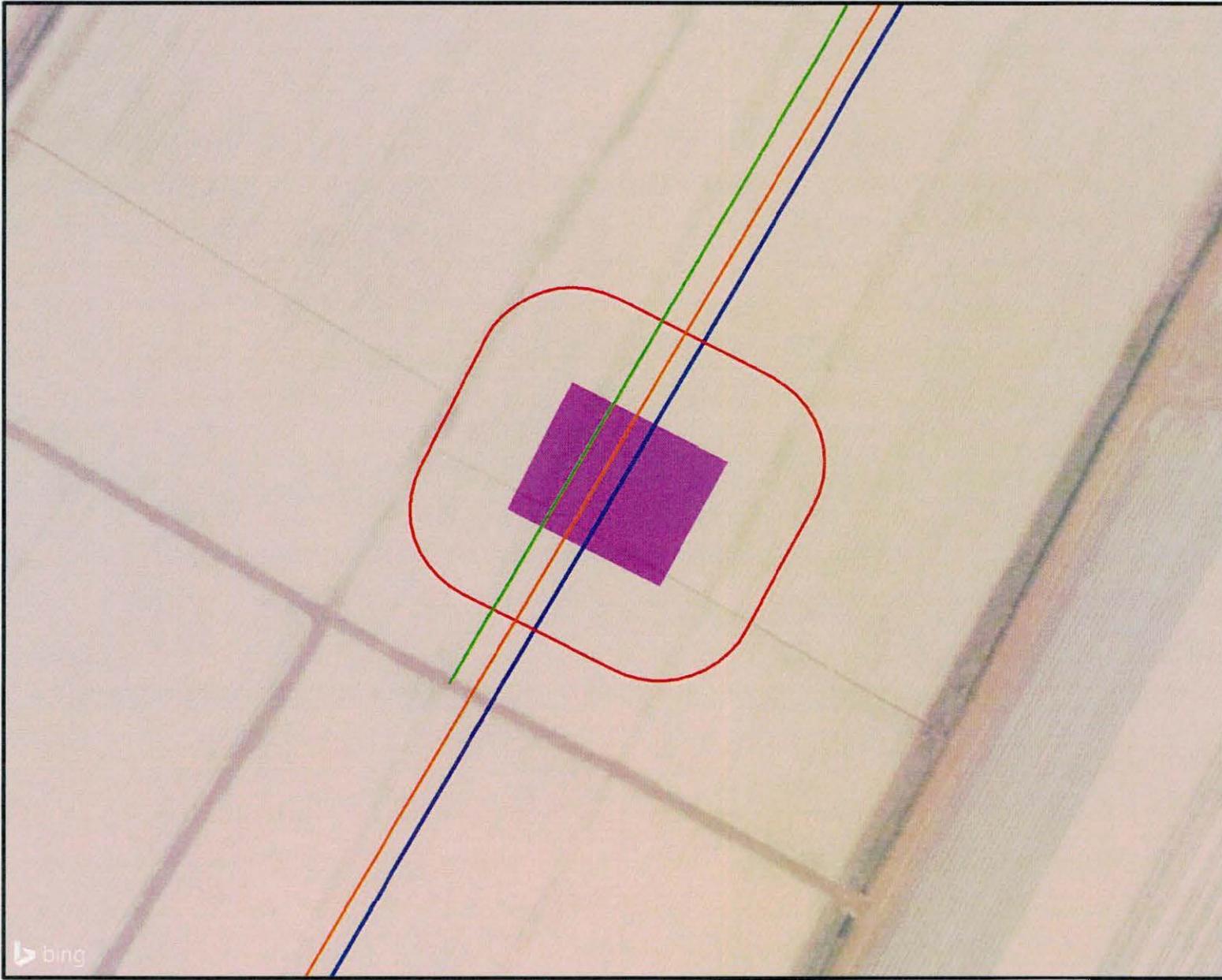
Acadia Cemetery Map

Memorandum of Understanding
Welcome, St. James Parish, Louisiana

FG LA LLC

Proposed St. James Facility

	Drawn By	LMM	10/23/18
	Checked By	MMH	10/23/18
	Approved By	MMH	10/23/18
Project Number		140-019	
Drawing Number		140-019-B004	
			2
			Attachment

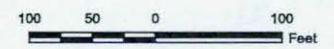


Legend

- Property Boundary
- Historical Cemetery Location
- 100' Buffer
- Confirmed UCAR 8" Pipeline Location
- NPMS UCAR Pipeline Location

Reference

Base map comprised of Bing Maps aerial imagery from (c) 2018 Microsoft Corporation and its data suppliers. Pipeline data obtained from the National Pipeline Mapping System (NPMS) Public Viewer on 07/25/18. Cemetery location provided from TerraX.



Buena Vista Cemetery Map

Memorandum of Understanding
Welcome, St. James Parish, Louisiana

FG LA LLC
Proposed St. James Facility



Drawn By	LMM	10/23/18
Checked By	MMH	10/23/18
Approved By	MMH	10/23/18
Project Number	140-019	
Drawing Number	140-019-B005	
Attachment	3	

bing

Providence Engineering and Environmental Group LLC

EXHIBIT V - 2



BILLY NUNGESSER
LIEUTENANT GOVERNOR

State of Louisiana
OFFICE OF THE LIEUTENANT GOVERNOR
DEPARTMENT OF CULTURE, RECREATION & TOURISM
OFFICE OF CULTURAL DEVELOPMENT
DIVISION OF ARCHAEOLOGY

KRISTIN P. SANDERS
ASSISTANT SECRETARY

29 October 2018

Melanie Hanks
Site Evaluation and Remediation Services Director
Providence Engineering and Environmental Group LLC

RE: Completed and Proposed Preservation Actions, Acadia and Buena Vista Cemeteries, FG LA LLC Proposed
St. James Facility, Welcome, St. James Parish, Louisiana
P20171048

Dear Ms. Hanks:

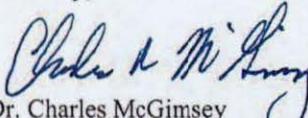
In response to your letter of 25 October 2018 concerning FA LA LLC's completed and proposed actions at the Acadia and Buena Vista, the Division of Archaeology concurs with the following actions.

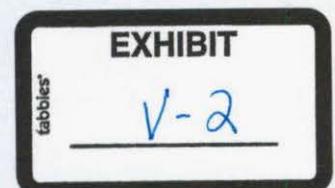
As your letter notes, the historic location of the Acadia Cemetery lies within a modern borrow pit, and investigations were focused on determining whether any burials were present outside of that borrow pit. The investigation by TerraXploration, Inc., did not find any evidence of burials, human remains, or graves on the margins of the borrow pit. The Division of Archaeology concurs that no evidence of the cemetery was found outside the borrow pit, and therefore the Division has no objection to future development of this area.

The Division also concurs with the proposed plan to fence the historic location of the Buena Vista cemetery, consistent with the safety requirements of the Dow Pipeline Company. The Division agrees that this action will demarcate the cemetery location from future development, and that if any activities are planned in the future at this location, the Division will be consulted concerning that action prior to any ground disturbance.

If you have any questions, please contact Dr. Chip McGimsey at cmcgimsey@crt.la.gov, or 225-219-4598.

Sincerely,


Dr. Charles McGimsey
Director, Division of Archaeology



ATTACHMENT C

From: [Seidemann, Ryan](#)
To: [Chip McGimsey](#)
Subject: FW: FG LA LLC - The Sunshine Project
Date: Friday, August 10, 2018 8:33:20 AM

Chip,

See below. I am not completely clear regarding what you might be able to discuss with the Corps on this matter. However, the attorneys seem to think that a call from you to the Corps archaeologist letting him know that we are working with the company on the cemetery issues would be helpful. Do you mind reaching out?

Thanks,

Ryan

From: McKeithen, Marjorie [mailto:mmckeithen@joneswalker.com]
Sent: Wednesday, August 08, 2018 5:10 PM
To: Seidemann, Ryan
Subject: FG LA LLC - The Sunshine Project

Ryan,

Thanks for taking the time to talk with me. As we discussed, I'm just writing to confirm the following path forward and also to ask for your help in reaching out to the Corps archaeologist as soon as possible to get their concurrence so that we may begin addressing the possible cemeteries as soon as possible.

Best regards,

Marjorie

Background:

-

Although diligence on the property did not reveal the existence of any cemeteries through publicly available resources, a historic map (recently provided to the State by a researcher) indicates that there may be two previously unknown cemeteries on the property, and the State believes that the map appears to be authentic.

-

Options here:

-

From our discussions, we understand the following to be the options for the path forward.

1. Buena Vista Cemetery:

- The Buena Vista cemetery appears to be located within the Sunshine Project Buffer Zone where no FG project construction is planned.
- If FG agrees to put up a permanent fence around the area and possibly post some sort of memorialization (like a plaque) identifying it as a historic cemetery, nothing further would be required by the State.

2. Acadia Cemetery: We understand that this possible cemetery may have been located within one of the borrow pits on the property. (The borrow pit was present and had already been excavated before FG purchased the property). Even though the cemetery area has likely already been excavated, the State would like to confirm that there are no remains in this area. Accordingly the State has offered the following options:

A. FG could choose to protect the area from any further construction disturbance with a fence and plaque, as proposed for the Buena Vista Cemetery. (However, this would mean that portions of the planned Utilities Plant may have to be relocated, which makes this a very difficult option for FG at this stage.)

or

B. FG could perform some excavation in the borrow pit area to determine if there are remains in that area. (We understand that the exploratory excavation requires a permit but that the State typically grants these quickly -- within a matter of days.)

- If human remains are not found: No further action is required and FG can proceed as planned.
- If human remains are found, the State offered a few options:
 - o FG could again choose to protect the area from any further construction disturbance with a fence and plaque, as proposed for the Buena Vista Cemetery (as described in Option A above). (However, again, we

understand this would involve relocation of the Utility Plant); or

o Remove the human remains and relocate the remains to another cemetery. (We understand that the removal would require a permit amendment if not already covered in the original permit, but that, again, the State typically grants these quickly, within a matter of days.)

- Once the remains are removed, however, activities may resume on the site and the permanent relocation of the remains could proceed separately.

Marjorie A. McKeithen

Partner

Jones Walker LLP

D: 504.582.8420 F: 504.582.8583

M: 225.247.6836

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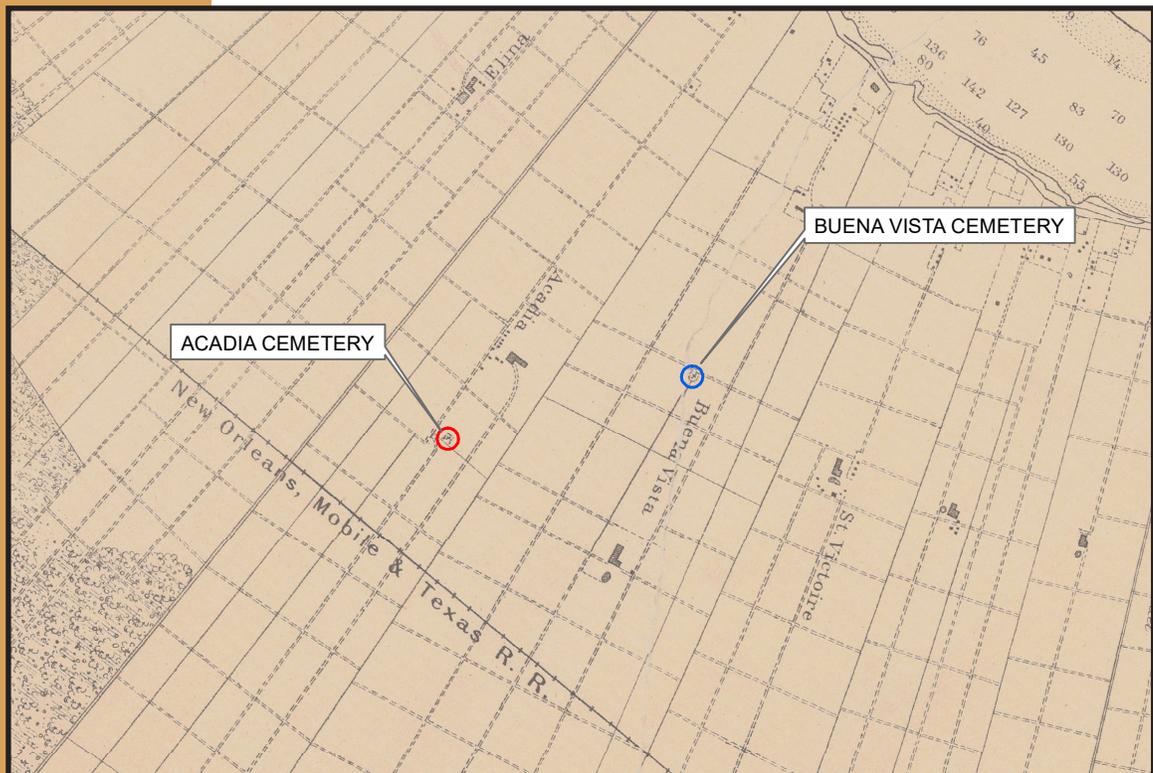
ATTACHMENT D

ARCHAEOLOGICAL MONITORING AND MECHANICAL STRIPPING OF THE ACADIA AND BUENA VISTA CEMETERIES ST. JAMES PARISH, LOUISIANA

FINAL REPORT

PREPARED BY
TERRAXPLORATIONS, INC.

PREPARED FOR
PROVIDENCE ENGINEERING AND
ENVIRONMENTAL GROUP LLC



ARCHAEOLOGICAL MONITORING AND
MECHANICAL STRIPPING OF THE ACADIA
AND BUENA VISTA CEMETERIES
ST. JAMES PARISH, LOUISIANA
FINAL REPORT

BY
PAUL D. JACKSON,
ABIGAIL PEEPLES,
AND
KAY MCKENNA

PREPARED BY
TERRAXPLORATIONS, INC.
1001 HAMPTON GATE
MOBILE, ALABAMA 36609

PREPARED FOR
PROVIDENCE ENGINEERING AND
ENVIRONMENTAL GROUP LLC
1201 MAIN STREET
BATON ROUGE, LA 70802

PRINCIPAL INVESTIGATOR



PAUL D. JACKSON

TERRAX REPORT NO. 2019.118

JUNE 2019

ABSTRACT

From May 13 to 23, 2019, TerraXplorations, Inc. (TerraX) completed mechanical stripping and archaeological monitoring of the Acadia and Buena Vista cemeteries located on FG LA LLC property in St. James Parish, Louisiana. The investigation was performed by Paul Jackson as Principal Investigator, Abigail Peebles as Project Osteologist, and Kay McKenna and William Jackson as Field Technicians. Total acreage for this project is approximately 4 acres.

Investigations at the Acadia Cemetery (16SJ118) found no evidence of intact burials or any human remains. It appears, if the cemetery actually existed and was ever used, the remains have been destroyed by previous land use activities. These activities include agriculture, borrow pits, retention ponds and field road and canal construction and use. Since no evidence of the cemetery could be found, we do not believe the cemetery requires any additional archaeological investigations.

TerraX found human remains and evidence of grave shafts within the Buena Vista cemetery (16SJ119) location. Based on the monitoring activities, we were able to fully delineate the extents of the cemetery. We recommend the newly defined boundaries of the cemetery be avoided from all ground disturbance activities and a protective fence be constructed around the location. This fence would not be necessary between the cemetery and the adjacent property boundary. Additionally, the fence will have a gap where the UCAR pipeline runs through the cemetery.

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CHAPTER 1 INTRODUCTION

TerraXplorations, Inc. (TerraX) under contract to Providence Engineering and Environmental Group LLC, completed mechanical stripping and archaeological monitoring of the Acadia and Buena Vista cemeteries located on FG LA LLC property in St. James Parish, Louisiana. The project was conducted to locate any evidence that the cemeteries exist and if so to delineate the boundaries of each location. The project took place in advance for an FG LA LLC project on 2,385 acres of land west of Welcome, and south of Lemannville in the St. James Parish of southern Louisiana.

All work was conducted in compliance with Section 106 of the National Historic Preservation Act of 1966, with regulations implementing this legislation (36 CFR Part 800: Protection of Historic Properties) and (NEPA 40 CFR 1508.8), specific National Register Bulletin guidelines, the Secretary of Interior's Guidelines for Evaluating and Documentation, with standards set by the Louisiana Division of Archaeology (LDOA) and the approved Unmarked Human Burial Sites permit (Appendix A). The U.S. Corps of Engineers (USACE), New Orleans District is the lead federal agency for the project.

The field work was conducted from May 13 to 23, 2019. The archaeological crew consisted of Paul Jackson as Principal Investigator, Abigail Peeples as Project Osteologist, and Kay McKenna and William Jackson as Field Technicians.

THE ACADIA CEMETERY

The Acadia Cemetery (16SJ118) was first recorded on the 1878 Mississippi River Map of St. James Parish, Louisiana (Figure 1.1). The cemetery, if it ever existed, was approximately .52 acre and was situated in Section 8, Township 12 South, Range 15 East on the 1999 Donaldsonville, LA 7.5' series topographic quadrangle (Figure 1.2) In 2017, the area surrounding the cemetery and plantation proper were surveyed by Cox McLain Environmental Consulting, Inc. (CMEC) (Rush et al. 2018b). The cemetery was not relocated during this survey. The 1878 map places the Acadia Cemetery in the middle of the plantation, 400 meters northeast of the New Orleans, Mobile, and Texas Railroad and just east of the main field road. Based on the 1878 map the proposed cemetery measured 150-x-150 ft. and was oriented northeast-southwest, parallel to the field road (Figure 1.3).

At some point in recent history, a series of borrow pits were opened at the proposed cemetery location. If Acadia ever existed and was used, the borrow pits might have completely destroyed the cemetery and possibly removed or destroyed all human remains. Currently a series of retention ponds and a field road sit upon the proposed location as well (see Figure 1.3). Because the client wants to develop this area, without the concerns of impacting burials discovered inadvertently, TerraX was asked to further investigate the proposed cemetery location and surrounding area to ensure no burials remain. At the time of the investigation, the location and surrounding area, not covered by the retention ponds, was covered by fallow grass, cane, and weeds. A series of berms have been constructed adjacent to each pond and appear to be used as field roads for farming equipment. A large drainage canal was also cut adjacent to the main field road and is still in current use. Photos representing the area can be seen in Figures 1.4 and 1.5.

In October, 2018, TerraX initially investigated an area 300 ft. to the northeast, where the presumed location of the cemetery might sit (Figure 1.6). Historic map research was conducted prior to the initial 2018 field investigation. This research was conducted by overlaying the 1886 Mississippi River Map of St. James Parish with the current topographic map of the area. The map was georeferenced by matching known reference points on both maps, such as the New Orleans, Mobile, and Texas Railroad and historic and

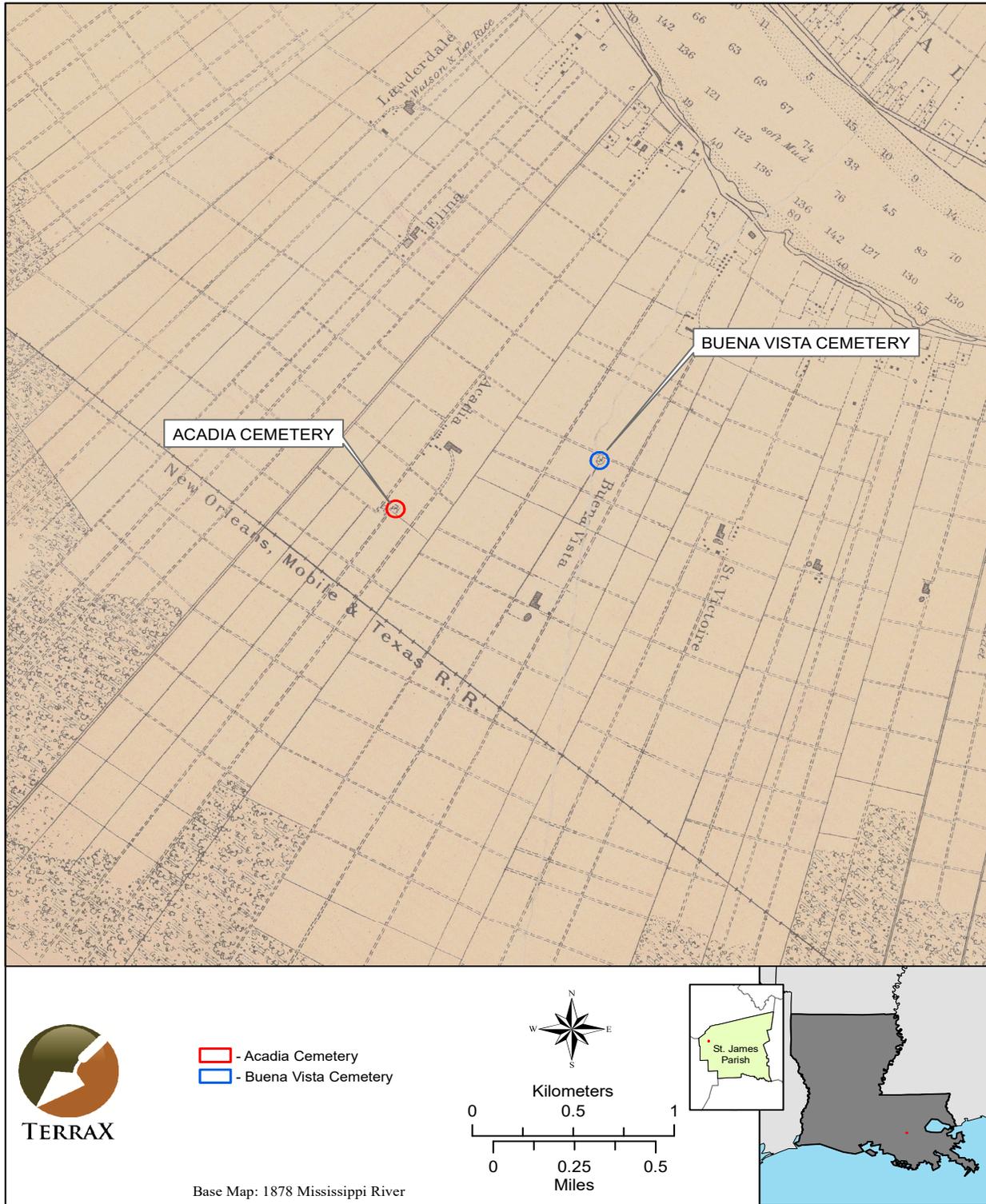


Figure 1.1. 1878 Mississippi River Map showing the locations of the Acadia and Buena Vista Cemeteries.

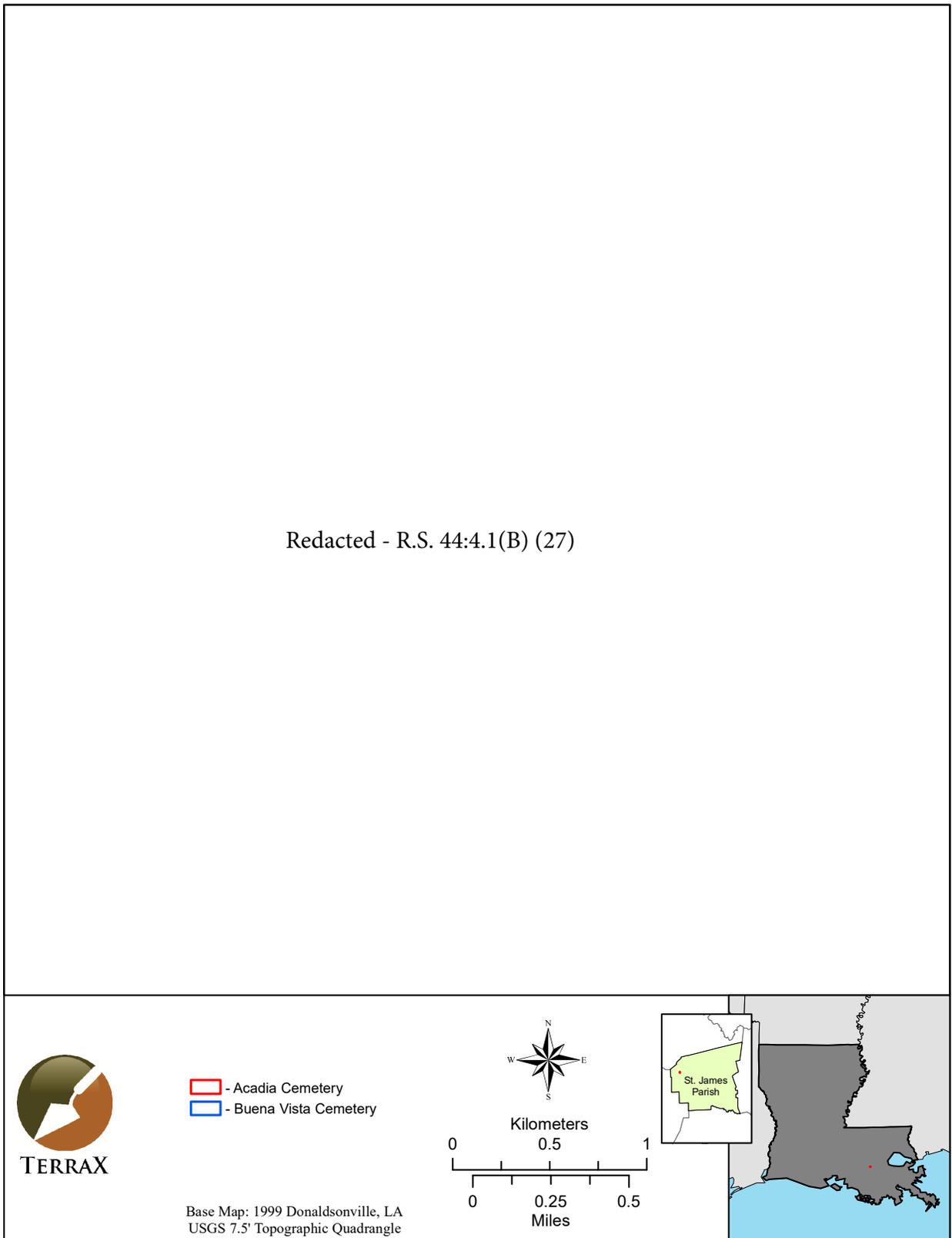


Figure 1.2. Map showing the Acadia and Buena Vista cemetery locations.

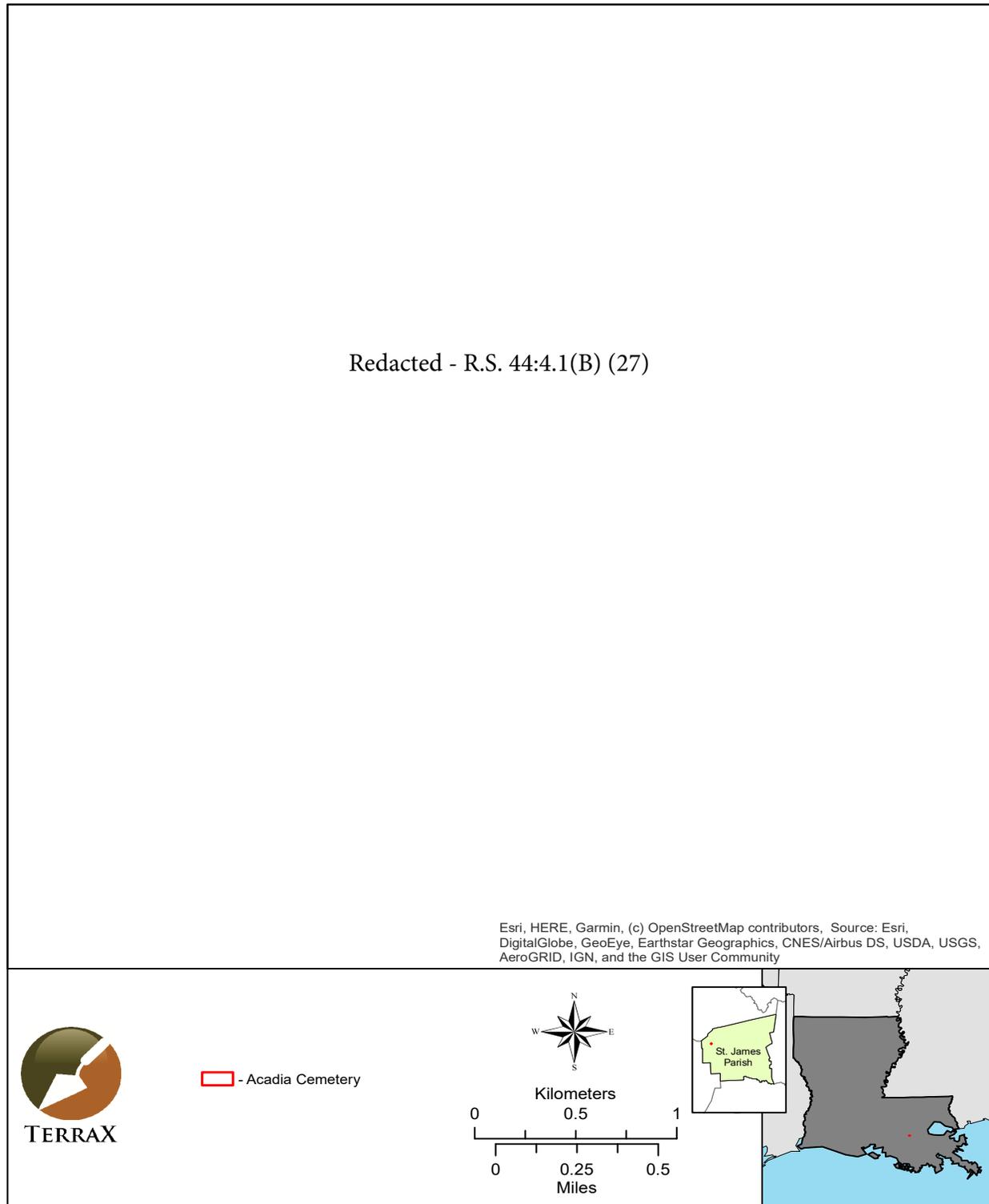


Figure 1.3. Aerial map showing the presumed location of the Acadia Cemetery and associated fields, ponds, and field roads.



Figure 1.4. View of the Acadia Cemetery and associated field road. One of the retention ponds is shown to the right on the photograph, facing northeast.



Figure 1.5. View of the Acadia Cemetery and associated field road. One of the retention ponds is shown in the background of the photograph, facing south.

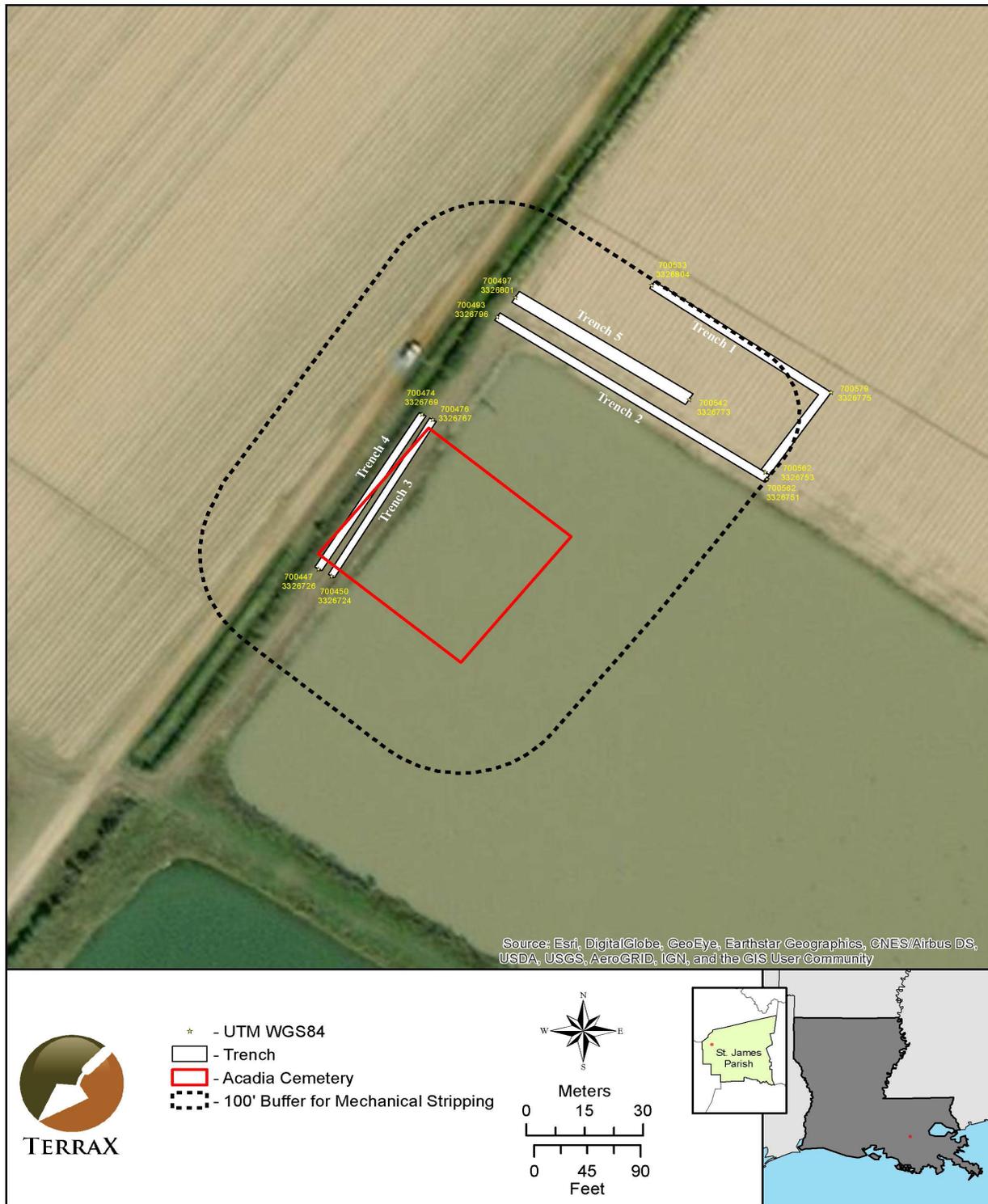


Figure 1.6. Aerial map showing previous archaeological trenching at the location originally believed to be the Acadia Cemetery.

current field roads. This research placed the possible cemetery in the middle of the plantation, 490 meters northeast of the railroad and just east of the main field road. Based on this information, TerraX performed archaeological monitoring and mechanical stripping of a small plot of land thought to be the possible location of the Acadia Cemetery. Unfortunately, the early topographic map was not a reliable indicator, which placed the cemetery roughly 300 feet northeast from its actual proposed location. The error might have been caused by a scaling issue or warping of the original map when it was digitized. This inaccuracy was discovered once the 1961 aerial was overlain on the most recent maps revealing a more accurate location for the proposed cemetery. This was not discovered until after the initial fieldwork was conducted. As would be expected, the excavations did not find any evidence of burials, including coffin hardware or burial shafts. During review of the report, the Louisiana Division of Archaeology realized the error in mapping, which led to the latest investigation. Site number 16SJ118 was assigned to the Acadia Cemetery.

THE BUENA VISTA CEMETERY

The Buena Vista Cemetery (16SJ119) was also first shown on the 1878 Mississippi River Map of St. James Parish, Louisiana (see Figure 1.1). The cemetery was not relocated during the Cox McLain Environmental Consulting, Inc. (CMEC) 2017 survey of the FG LA LLC Project Site (Rush et al. 2018b) or an earlier 2008 survey for the UCAR pipeline (Rawls et al. 2008). The Buena Vista Cemetery location, as shown on the 1878 map, is situated in the middle of the historic Buena Vista Plantation, at the intersection of two field roads, 1,270 meters northeast of the New Orleans, Mobile, and Texas Railroad and 136 m west of a main field road (see Figure 1.2). The proposed cemetery measured 159-x-268 ft. and was oriented northeast-southwest, parallel to the field roads to the east and west (Figure 1.7). The location and surrounding area is covered by sugar cane (Figures 1.8 and 1.9).

The 1961 historic aerial of the area containing the Buena Vista cemetery shows a stand of trees at the location of the cemetery (Figure 1.10). It appears, at this point the cemetery was still being avoided during agriculture, if not possibly being maintained. After this though, the cemetery appears to be plowed over. The 1961 aerial also shows access to the cemetery from a western field road along a smaller road running east-southeast towards the northern edge of the cemetery. Another smaller access road appears from an eastern field road, running west-northwest towards its southern edge. Recent aerials show these access points are also plowed over. The current aerial shows an access road running along the northern edge of the cemetery and a field road cutting through the longest extent of the cemetery, running northeast to southwest. It is highly likely burials are situated under this current field road. Additionally, a UCAR pipeline runs through the cemetery and possibly impacted some of the burials.

This report is presented as follows. Chapter 2 provides the environmental conditions in the cemeteries and surrounding area. Chapter 3 contains a cultural background for the project areas from the time the plantations in the area first appeared in the archives. Chapter 4 goes over previous investigations within the project areas as well as the associated FG LA LLC property. Chapter 5 gives a detailed description of the field and lab methodology used for the project. Chapter 6 presents the results of the laboratory and fieldwork and Chapter 7 concludes the report while summarizing the findings.

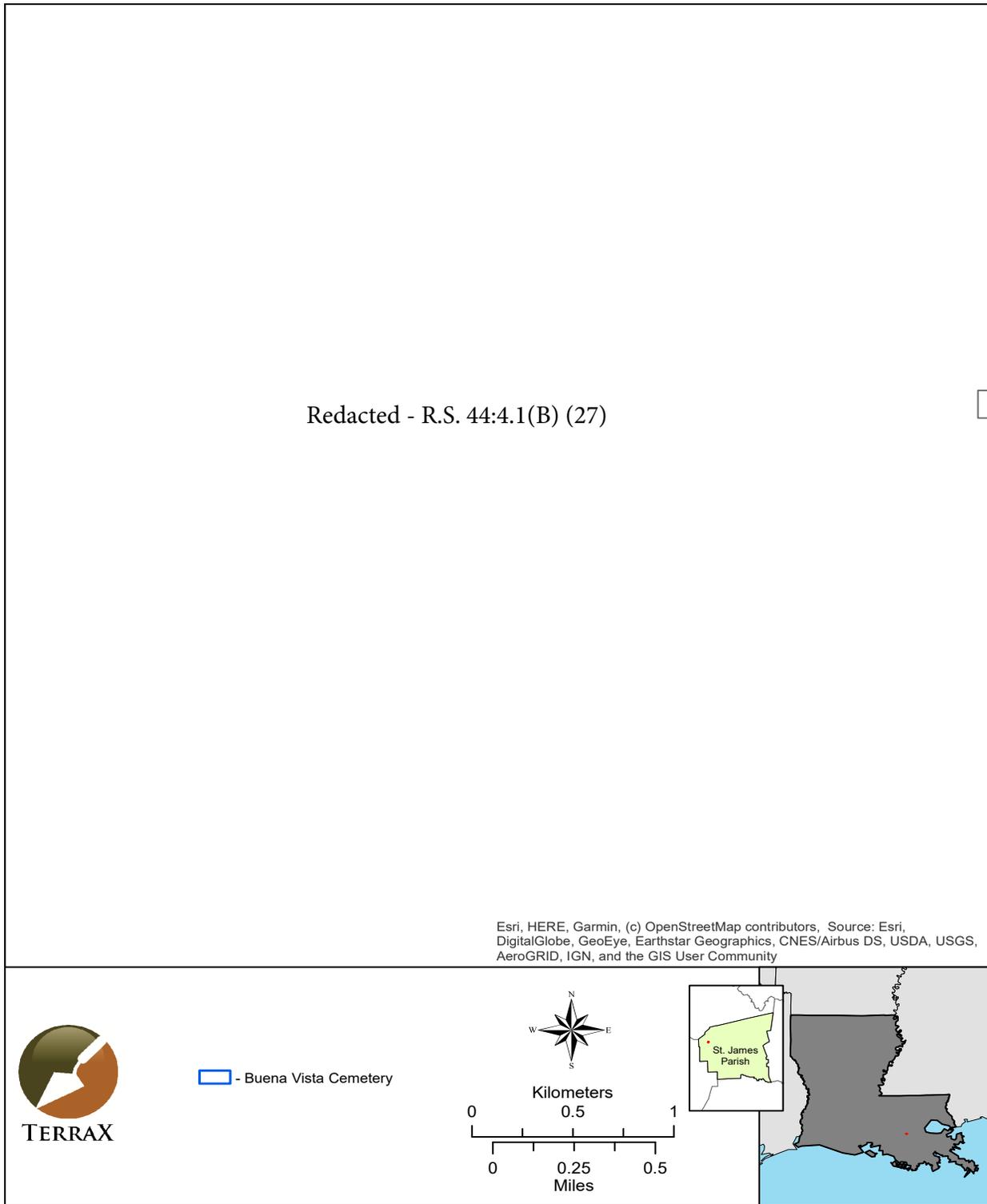


Figure 1.7. Aerial map showing the presumed location of the Buena Vista Cemetery and associated fields and field roads.



Figure 1.8. View of the Buena Vista Cemetery and associated agricultural fields. A fenced location for the original presumed location of the cemetery can be seen in the background of the photograph, facing northeast.



Figure 1.9. View of the Buena Vista Cemetery and field road that cuts through the cemetery, facing southwest.

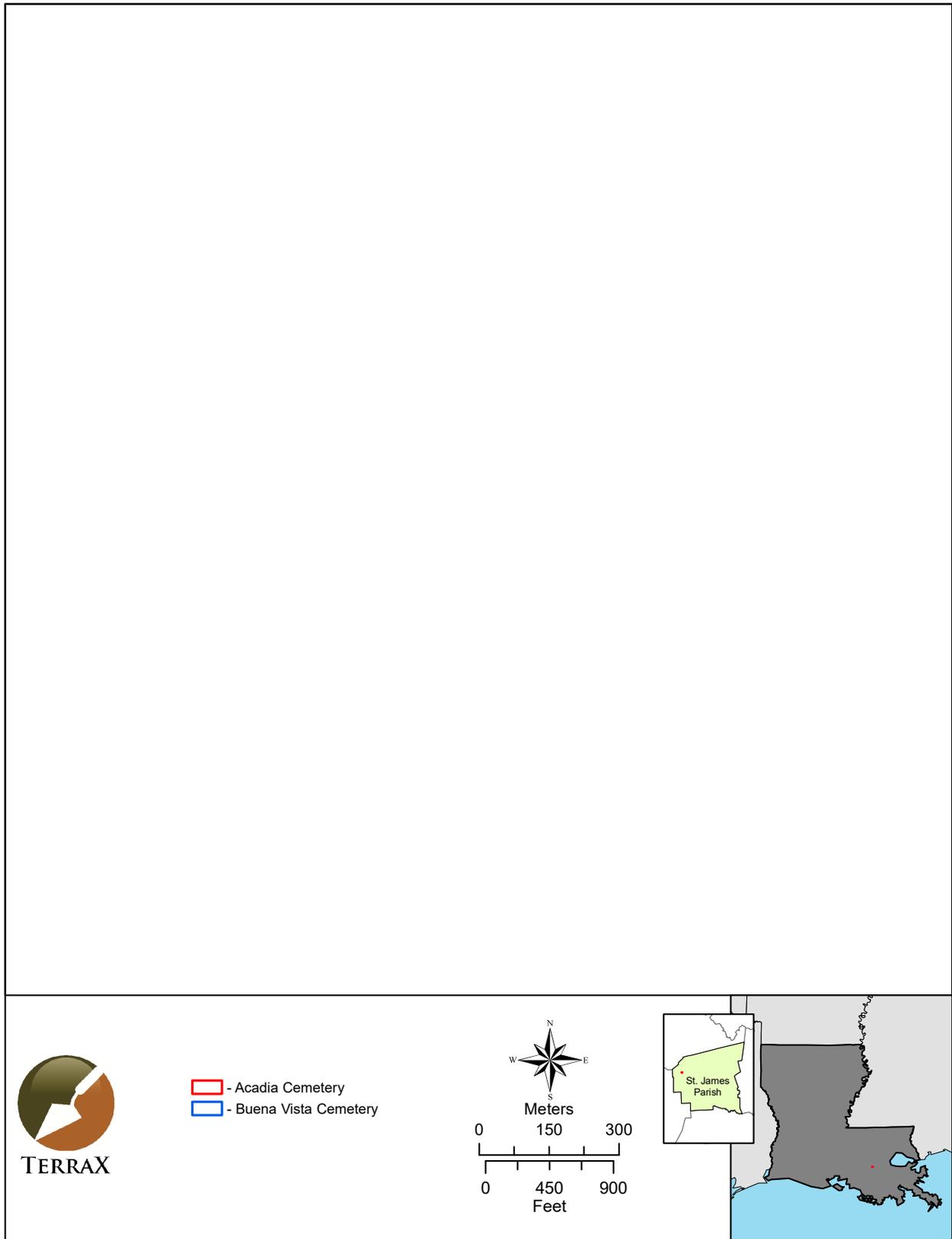


Figure 1.10. 1961 historic aerial map showing the locations of the Acadia and Buena Vista cemeteries and associated fields and field roads.

CHAPTER 2 PROJECT AREA ENVIRONMENT

The FG LA LLC property and the current cemetery locations are situated about 49 miles west of New Orleans and about 30 miles southeast of Baton Rouge on the west bank of the Mississippi River. Elevations within the FG LA LLC property range from 6 ft. above mean sea level (AMSL) in the southern portion away from the river to 17 ft. AMSL along the eastern side of the property.

The project area lies within the south-central region of the Mississippi River Delta Plain and consists of alluvium laid down in the recent Holocene (Figure 2.1). This alluvium is bordered to the west by Vermilion Bay, to the east by the Pearl River, and the north by a line running along the north shore of Lake Pontchartrain, then up the old Pleistocene Ridge on the river's present east bank until around the area of Simmesport, Louisiana, then on a line down to Vermilion Bay south of Lafayette. Alluvium consists of sandy and gravelly channel deposits mantled by sandy to muddy natural levee deposits, with organic-rich muddy backswamp deposits in between (Louisiana Geological Survey 2008). The project area is within the Southern Mississippi Valley Alluvium Major Land Resource Area (MLRA), as is 93 percent of the parish (Muse 2009). The soils of the natural levees formed in sediments that were deposited by former channels of the Mississippi River. The modern meander belt of the river has been in place since ~ 2800 years B.P., which has been postulated to be an anomaly in the length of time one meander belt is present (Saucier 1994:123).

The 1878 Mississippi River Map illustrates the sparsely populated region of the FG LA LLC property and its surroundings. Both cemeteries are illustrated on this map and also show they are a part of the Acadia and Buena Vista Plantations, respectively. Both are shown near the center of the plantations away from the main building complexes. The New Orleans, Mobile, Texas can be seen south of both cemeteries and a series of field roads cut throughout the plantations. Both cemetery locations have access roads leading either adjacent or directly to their noted edges. Though, comparing the field roads shown on the historic 1961 aerial of the area to the recent topographic maps demonstrates the field roads, and presumably the canals, have changed in the 40 years between the maps. The 1999 Donaldsonville, Louisiana 7.5' USGS topographic quadrangle shows some change to the land surrounding the cemeteries and neither cemetery is depicted on the map. This map also indicates most of the structures associated with the two plantations have been demolished and the area is left widely open as agricultural lands.

SOILS

A review of the Web Soil Survey (2019) identified two soil types (Cancienne silt loam and Cancienne silt clay) within both the Acadia and Buena Vista Cemeteries. Within the Acadia Cemetery, Cancienne silt loam with 0 to 1 percent slopes made up the majority of the location (88.7 percent). The remaining 11.3 percent was made of the Cancienne silty clay loam with 0 to 1 percent slopes. In the Buena Vista Cemetery, the two soil types covered the area equally.

FLORA

Nearby wooded areas are comprised mainly of willow (*Salix nigra*) and other water-tolerant hardwoods, including cottonwood (*Populus deltoides*), sweet gum (*Liquidambar spp.*), and sycamore (*Platanus occidentalis*). Natural levees and abandoned point bars, less subject to long periods of flooding, support live oak (*Quercus virginiana*), magnolia (*Magnolia spp.*), hickory (*Carya cordiformis* and *Carya alba*), pecan (*Carya illinoensis*), and sweet gum (*Liquidambar spp.*) (Kniffen and Hilliard 1988:79). The backswamp

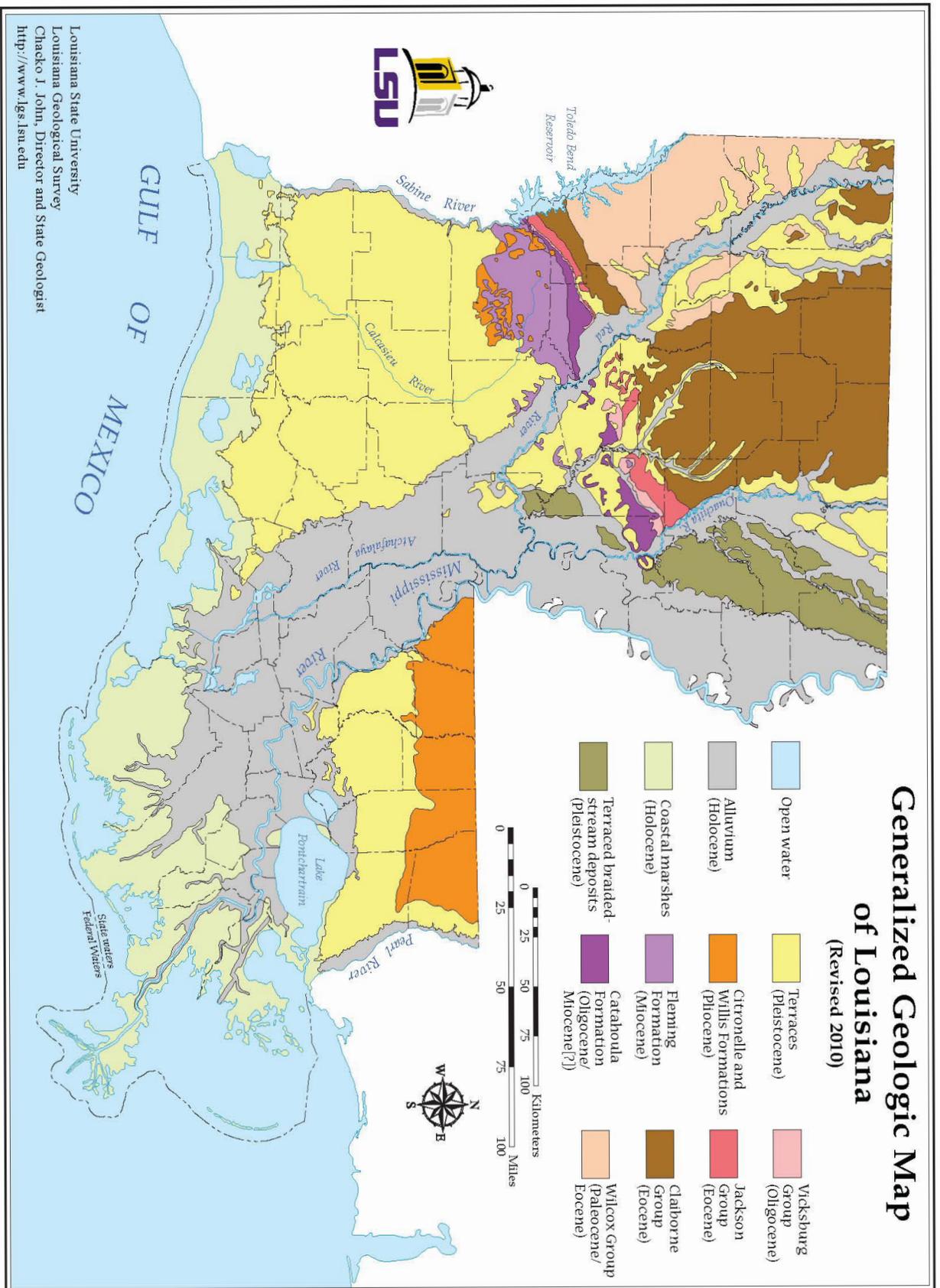


Figure 2.1 Geologic Map of Louisiana.

areas are dominated by tupelo or black gum (*Nyssa aquatica*), bald cypress (*Taxodium distichum*), and red maple (*Acer rubrum*). This area flooded regularly prior to the construction of the artificial levees. The environment is typically suited for wildlife habitat, timber, water storage, waste filtering, hunting, and trapping.

FAUNA

A variety of fauna thrives within this region due to the abundance of water. Mammal types in the area include deer (*Odocoileus virginianus*), fox (*Urocyon spp.*), squirrel (*Sciurus spp.*), rabbit (*Sylvagus spp.*), raccoon (*Procyon lotor*), skunk (*Mephitis mephitis*), and opossum (*Didelphus virginiana*). In the backswamp lakes, tributary streams, and river channels, numerous bird species, including herons, egrets, and migratory ducks are also present. The waterways and flooded backswamps are also home to large numbers of fish species, snakes, turtles, and alligators (*Alligator mississippiensis*) (Kniffen and Hilliard 1988:79).

CLIMATE

The climate in this area is characterized as humid, warm, and subtropical due in large part to the Gulf of Mexico. Winters are mild with an average temperature of 54 degrees Fahrenheit (F) and an average daily minimum temperature of 45 degrees F. In summer, the average temperature is 81 degrees F and the average daily maximum temperature is 90 degrees F. Humidity is generally high, with an average of 88 percent in the morning hours. The average annual total precipitation is 64 inches with December and January being the driest months. Thunderstorms are common between June and September. Snow is seldom encountered in this region (Muse 2009).

HYDROLOGY

There are four primary aquifer systems with the parish. A shallow aquifer system containing very hard, iron-bearing water exists in an irregular fashion within the parish. The Gramercy aquifer is close enough to the overlying water pockets to act as a link, but the water is also very hard. The deeper Norco aquifer is the most important subsurface water source in the parish and ranges in thickness from 100 to 500 ft. Beneath this is 300-400 ft. of clay, which divides the Norco from the deepest aquifer, the Gonzales-New Orleans. The Gonzales-New Orleans aquifer is also the thickest of the aquifers and underlies the whole parish. Water quality is a problem with all these aquifers due to increasing salinity levels (Muse 2009).

CHAPTER 3 CULTURAL HISTORY

THE ACADIA PLANTATION

The Acadia Plantation came into existence after Benjamin Mire acquired the plots of land surrounding his original property in 1869 (Table 3.1). The name Acadia, however, is not used to reference the approximate 1,400 acres of the plantation until 1872 when, E. C. and J. E. Mire sold swamp land behind Acadia to the partnership of Boyd and Martin at a sheriff sale (COB 40, 18). Earlier that year, Benjamin Mire had sold the plantation to the same buyers. The Mire family, starting with Jean Baptiste Mire, the original owner of Section 9 of Township 12 South Range 15 East of St James Parish, began buying the lots surrounding their land in 1817. They first purchased Section 8 to their south from Hypolite Breaux, the original owner of Old Board Certificate No 364 (COB 5, 1007&1008). They then purchased Section 24, to the rear of Sections 8 and 9 from Eduoard Breaux, the original owner of Old Board Certificate No 86 in 1820 (COB 7, 311). Jean Baptiste Mire and his successors, Evariste, E. Camille, J. Elphege and Benjamin, owned the three tracts of land until 1872 when it was purchased at a sheriff sale by Boyd and Martin (COB 39, 356). It should be noted that the northern most boundaries of Sections 8 and 9 of Township 12 South Range 15 East continue up into Township 11 South 15 East; Section 8 continued into Section 56 and Section 9 into Section 55. However, in early land records, the plantations in this area are not referred to by the plot division and section numbers, the lots are listed as, for example, “a plot of land on the right bank of the Mississippi River 71 miles above the City of New Orleans, 5 arpents and 21 toise at the face of the river by 80 arpents in depth...,” which happens to be the description of the Acadia Plantation. (COB 50, 141).

For the next five years the Acadia Plantation changed owners five times. All of the owners involved Alston Boyd with various partners, including VEM Anderson and Mr. Martin. None of them owned the plantation for very long. Additionally, of those five years, only two years posted any sugar cane production in the Louisiana Sugar Reports. The plantation boundaries appear first on the 1878 Mississippi River map (Figure 3.1) along with the cemetery, however by the time Chauffe has ownership of the plantation, the cemetery is no longer present on the 1892 USGS topographic quadrangle map.

In 1881, Jerome Elphege Mire, a descendent of the earlier Mire family purchased the plantation back and production started again (COB 41, 465, Louisiana Sugar Report). In 1884, Jerome Mire sold the plantation to Aman Bourgeois (COB 50, 631) However, there is some discrepancy in the Sugar Reports because they list a GA Poche as owner. Poche is not mentioned in the Book of Conveyances, so it is possible he was a manager or overseer of the plantation, rather than an owner. In 1889 Aman Bourgeois sold the plantation to Theodule Chauffe, who held on to it for 6 years (COB 52, 141).

In 1895, the legacy of Libermuth and Israel began. Jacob Libermuth first bought Acadia and two years later sold a portion of it to Melville Israel (COB 53, 607; R, 47). The two purchased a substantial amount of land surrounding Acadia, including the Winchester Plantation, also known as Buena Vista Plantation. The Libermuth and Israel Planting Company was established in 1901 and as they continued to grow, they purchased even more property. (COB 55, 638; J, 309; 90, 249) In 1974, Libermuth and Israel split the land into thirds and sold the lower 1/3, which was a portion of the Winchester/Buena Vista Plantation, to Whitney National Bank and the upper 2/3, the rest of Winchester/Buena Vista and the Acadia plantations, to Southdown Land Company. (COB 175, 767). Four days later, the Zapata Development Company purchased the upper portion from the Southdown Land Company. In 1988 Freeport McMoran Resource Partners purchased the combined Acadia/Winchester upper portion from Zapata (COB 294, 100). Freeport McMoran sold the properties to IMC Agrico in 1993 (COB 323, 5). IMC Agrico filed a Merger and Title Clarification

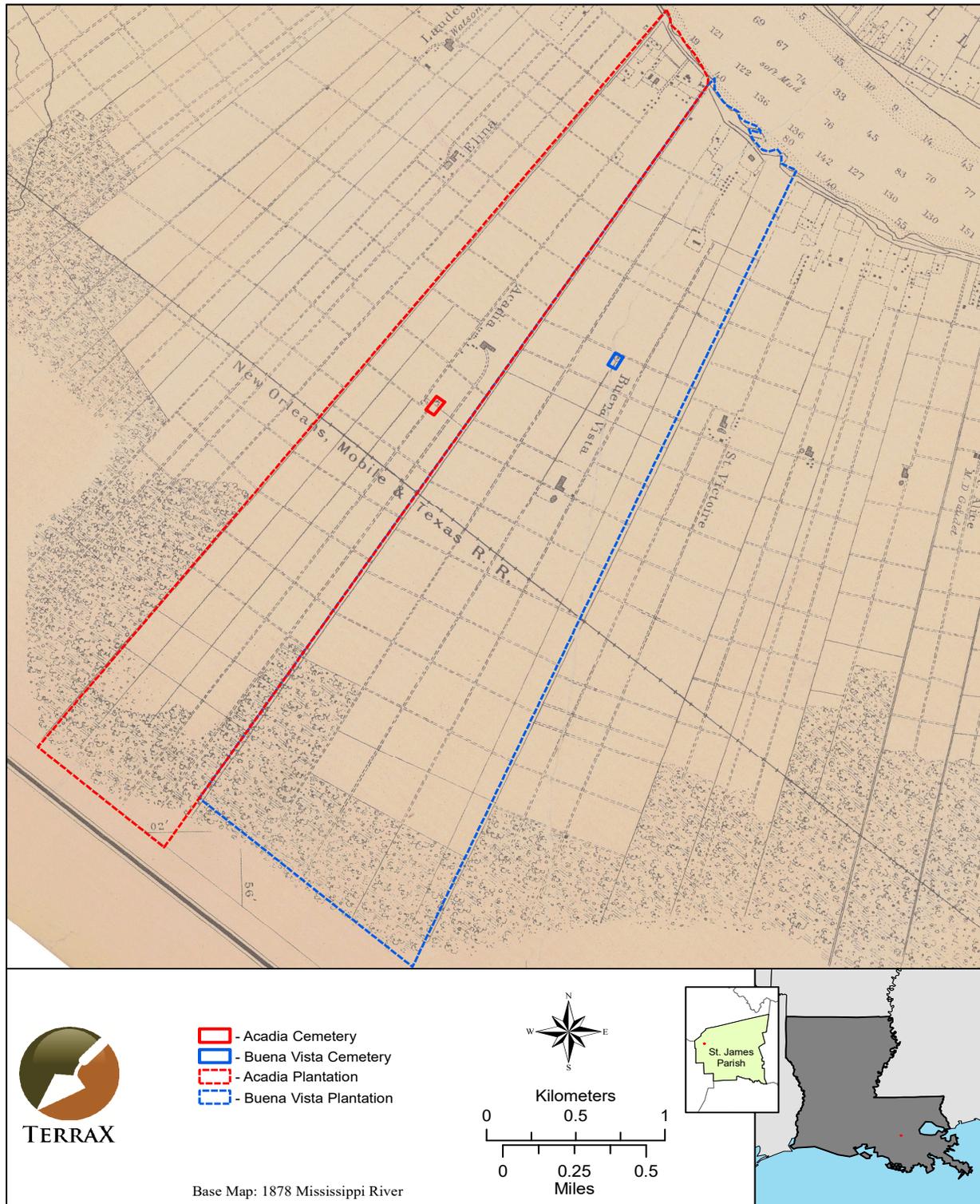


Figure 3.1. Historic 1878 Mississippi River Map showing the Acadia and Buena Vista cemeteries and plantations.

declaring the combination of IMC Agrico, IMC Phosphates Company and Mosaic Fertilizer LLC in 2008 (COB 473, 598). The current owner, FG LA LLC, purchased the properties from Mosaic on July 31, 2017 (COB 486, 187).

No mention of the cemetery is noted in the archives; other than its sole representation on the 1878 Mississippi River Map. Find-A-Grave notes that the previous owners are buried at other plantations in Assumption, Orleans, and St. James Parishes. It is possible that the area was used as a slave cemetery and no record was kept for its location. It is also possible, the location was planned as burial grounds but never actually used. At some point in more recent history, a series of borrow pits were opened on top of the possible cemetery location and now a series of retention ponds currently sit on the majority of land where it would have been located. If a cemetery was used at this location, the borrow pits and retention ponds most likely destroyed it and any evidence of its occupants.

Table 3.1. Title Chain – Acadia Plantation Sections 8, 9 and 24	
Year	Owners (purchase record)
	Section 8
1809	Hypolite Breau (Old Board Certificate No. 364)
12/24/1817	J. B. Mire (COB 5, 1007&1008)
	Section 9
1809	Jean Baptiste Mire (Old Board Certificate No 420)
	Section 24
	Eduoard Breau (Old Board Certificate No 86)
12/27/1820	Jean Baptiste Evariste Mire (COB 7, 311) Owner of all three sections
2/15/1832	Evariste Mire (COB 12, 239)
6/12/1860	Succession and Partnership of Evariste Mire forming EC Mire and Co (COB 34, 519)
2/28/1871	E.Camille and J. Elphege Mire (COB 39, 250)
2/28/1871	Benjamin C. Mire (COB 39, 250)
2/24/1872	Boyd and Martin (COB 39, 356)
7/24/1873	Alston Boyd (COB 40, 252)
12/30/1873	Partnership Alston M Boyd and VEM Anderson (COB 40, 324)
11/4/1876	Alston M. Boyd (COB 41, 45)
3/5/1881	Jerome Elphege Mire (COB 41, 465)
12/13/1884	Aman Bourgeois (COB 50, 631)
12/27/1889	Theodule Chaffe (COB 52, 252)
1/25/1895	Jacob Libermuth (COB 53, 607)
1/5/1897	Jacob Libermuth sold ¼ of the plantation to Melville Israel (COB R, 47)
1/21/1901	Libermuth and Israel sold to Libermuth and Israel Planting Company (COB 55, 638)
1936-1950	Libermuth and Israel Planting Company amasses land from three sources, Realty Operators Inc (COB J, 309) Southdown Sugar Inc (COB 90, 249) and Whitney National Bank (COB K, 109) includes portions of Winchester and Acadia Plantations.
11/15/1974	Whitney National Bank (lower 1/3) and Southdown Land Co. (upper 2/3) split the land they brought from Libermuth and Israel (COB 175, 767)
11/19/1974	Zapata Development Corporation (COB 175, 827)
6/21/1988	Freeport McMoran (COB 294, 100)
8/2/1993	IMCO Agrico Chemical Co. (COB 323, 5)
9/10/2015	Merger and Title Clarification IMCO Agrico, IMC Phosphates Company merges with Mosaic Fertilizer (COB 369, 473)
7/31/2017	FG LA LLC (COB 486, 187)

THE BUENA VISTA/WINCHESTER PLANTATION

Benjamin Winchester spent over 20 years collecting the land that became the Winchester Plantation. Six sections of the Township 12 South Range 15 East of St. James Parish make up the original plantation (Table 3.2). Winchester himself, did not own property that was on the Mississippi River. His original section, 27, was behind Sections 4 and 5. He acquired those sections in 1822 and 1820, respectively (COB 8, 164, 7, 273). A decade later, Winchester, purchased Section 26, next to his original plot, and Sections 6 and 7, the lots with river access in front of Section 26; in total, he acquired over 1400 acres. Benjamin and his wife Carmelite Constant Winchester successfully worked the plantation producing on average 600-700 Hogs Head a year. In 1850, Mrs. Carmelite Winchester separated from Benjamin and purchased the land at a Sheriff sale from her estranged husband. She changed the name to Buena Vista and ran the plantation for 18 years (COB T, 307). She sold the plantation to William Henry Aymar, in which the transition included a cash sum and a trade for a warehouse in town called the “Anchor Tress Warehouse” and the adjoining vacant lot (COB 36, 314).

William Aymar sold the Buena Vista Plantation to Herbert William Barton and Clerville Himel in 1898 (COB 349, 356). At a sheriff sale in 1902, William Oswald purchased the Winchester Plantation and shared the title with his wife Margaret. Upon her death, William received the entire plantation (COB 79, 514). Margaret and William had no heirs so at the death of William, he gifted the multiple plantations, personal property, cash and bonds to the American National Red Cross (COB 79, 592). IMC Agrico purchased the Buena Vista Plantation from the Red Cross in 1972 (COB 77, 35685). IMC Agrico exchanged the plantation with the Southdown Land Company for the St. Rose Plantation in another parish (COB 163, 438).

In 1974, the Southdown Land Company and the Whitney National Bank separated the Acadia and Buena Vista Plantations that had been previously joined together (COB 175, 767). However, it was not exactly along property lines. They split the land into thirds and sold the lower 1/3, which was a portion of the Winchester Plantation, Sections 4, 5, and 27, to Whitney National Bank and the upper 2/3, the rest of Winchester Plantation, Sections 6, 7, and 25, and the Acadia plantation, to Southdown Land Company. (COB 175, 767). Four days later, the Zapata Development Company purchased their portion from Southdown Land. In 1988 Freeport McMoran Resource Partners purchased the combined Acadia/Winchester upper portion from Zapata (COB 294, 100). Freeport McMoran sold the properties to IMC Agrico in 1993 (COB 323, 5). IMC Agrico filed a Merger and Title Clarification declaring the combination of IMC Agrico, IMC Phosphates Company and Mosaic Fertilizer LLC in 2008 (COB 473, 598). The current owner, FG LA LLC, purchased the properties from Mosaic on July 31, 2017 (COB 486, 187). The lower Sections, 4, 5, and 27, were sold by Whitney Bank to the Berwick Company in 2002 (COB 375, 429). Berwick sold the land to Gaviola Agriculture Company in 2013 (COB 458, 302). The current owner of the original Winchester land acquisition, is FG LA LLC who purchased the Buena Vista property on the 25th of October 2017 (COB 488, 163).

According to a search on Find-A-Grave, none of the previous owners are buried at the plantation. They are buried in various locations in St. James, Assumption, and Orleans Parishes. It is possible that slaves who once lived on the property might be buried at this location. Benjamin Winchester owned dozens of slaves according to the 1850 census (Ancestry.com 2018). The graves could also be from the Civil War, as the previous cultural resources survey stated: “This [Buena Vista] plantation was the focus of intense fighting during the Civil War, particularly in 1862” (Rush et al 2017). No mention of the cemetery was found in any of the land records or other archives for either the Winchester or Buena Vista plantations.

Table 3.2. Winchester/Buena Vista Plantation Title Chain	
Year	Owners (purchase record)
	Section 4
1809	Giles LeBlanc (COB 1, 128)
8/6/1814	Jean Louis Grilhe (COB 4, 643)
7/11/1815	Marie Martine Dumontet (COB 4, 812)
5/5/1818	Valerie Gaudet (COB 7, 71)
7/1/1822	Benjamin Winchester (COB 8, 164)
	Section 5
1809	Joseph Cloater (Old Board 205)
11/3/1820	Benjamin Winchester (COB 7, 273)
	Section 6
1809	Joseph Thomelete (Old Board No 71)
2/24/1835	Edmond Blouin (COB 11, 348)
4/27/1835	Eugene Senette (COB 14, 39)
2/22/1838	Benjamin Winchester (COB 17, 99)
	Section 7
1809	Charles Frederick (Old Board No 166)
1/20/1810	Edouard Breaud (COB 5, 549)
11/30/1833	Benjamin Winchester (COB 13, 362)
	Section 25
1809	Edouard Breaud (Old Board No 91)
11/30/1833	Benjamin Winchester (COB 13, 362)
	Section 27
1809	Benjamin Winchester (Old Board No 300)
1833	Benjamin Winchester acquires all land surrounding his original plot.
9/7/1850	Mrs Camelite Constant Winchester (separated) (COB 29, 79) Changes the name to Buena Vista
11/19/1868	William Henry Aymar (COB 36, 307)
7/6/1898	Herbert W. Barton and Clerville Himel (COB R 656)
4/15/1902	William Oswald (COB 56, 246)
11/18/1943	American Red Cross (COB 79, 592)
9/11/1972	Agrico (COB 77 35685)
	Upper 2/3s of the Winchester/Acadia split
11/29/1972	Southdown Land Co (COB 163, 438)
11/19/1974	Zapata Development Company (COB 175, 827)
6/21/1988	Freeport McMoran (COB 294, 100)
8/2/1993	IMCO Agrico Chemical Co. (COB 323, 5)
9/10/2015	Merger and Title Clarification IMCO Agrico, IMC Phosphates Company merges with Mosiac Fertilizer (COB 369, 473)
7/31/2017	FG LA LLC (COB 486, 187)
	Lower 2/3s of the Winchester/Acadia split
11/15/1974	Whitney National Bank (COB 175, 767)
12/2/2002	Berwick (COB 375, 429)
1/11/2013	Gavilon Agriculture LLC (COB 458, 302)
10/25/2017	FG LA LLC (COB 488, 163)

CHAPTER 4 PREVIOUS RESEARCH

LITERATURE AND DOCUMENT SEARCH

Background research was conducted prior to the investigation to identify previously recorded historic and prehistoric locations within the FG LA LLC property. This included research of the Louisiana Site Files (Louisiana Division of Archaeology [LDOA] 2019), the Historic Standing Structure Survey Files at the State Library in Baton Rouge, Louisiana (performed on October 3, 2018), and an online query of the National Register of Historic Places (NRHP) (National Park Service 2019).

The research identified nine previous cultural resource projects (22-2983, 22-6100, 22-6110, 22-6112, and 22-6141) (Figure 4.1). 22-0231 was a cultural resource survey conducted internally for and by the State of Louisiana Department of Highways in preparation for the Donaldsonville – New Orleans Highway (Rte LA 3127). This survey included the initial documentation for 16SJ65 which includes both historic and prehistoric artifacts and a prehistoric midden dating to 400 – 1200 A.D (Rivet 1976).

22-2180 was a cultural resource survey and inventory of a 78.00 km segment of the then-proposed 159 km natural gas pipeline as part of the Pascagoula Pipeline Project through Assumption, St. James, St. John the Baptist, St. Charles, and St. Tammany Parishes. Twelve total archaeological sites were identified during this survey, but only one (16SJ59) falls within the project area and it was considered ineligible for NHRP (Robblee et al. 1998).

22-2983 was an intensive cultural resources survey for the proposed UCAR Pipeline which ran through Ascension, Assumption, and St. James parishes in Louisiana. The survey was conducted by Earth Search, Inc. for Mustang Engineering, Inc. for UCAR, Inc. During the survey, six new archaeological sites (16AS112-114 and 16SJ63-65) and five isolated finds were recorded. Most sites were previously destroyed, and only one (16SJ64) met the criteria for NRHP listing. Additionally, one previously recorded structure (47-1647) and an associated outbuilding were evaluated and considered eligible. This survey ran the full extent of the FG LA LLC property, from northeast to southwest (Rawls et al. 2008).

22-3273 was a Phase I cultural resource survey for the proposed INCA Refining, LLC. Project in St. James Parish, Louisiana. The work was conducted in 2009 by Earth Search, Inc. During the course of the survey two newly recorded late 19th to early 20th century historical sites (16SJ69 & 16SJ70) were recorded but considered ineligible for inclusion to the NRHP due to heavy agricultural disturbances (Parrish et al. 2009).

22-5780 was a Phase I archaeological survey of a 2,375-acre (961-hectare) area in St. James Parish, Louisiana. CMEC was contracted for this project by Zephyr Environmental Corporation on behalf of FG LA LLC (Rush et al. 2018b). During the survey, CMEC documented two new archaeological sites (16SJ109 and 16SJ110) and revisited four previously recorded archaeological sites (16SJ28, 16SJ59, 16SJ63, and 16SJ65). None of the sites exhibited evidence of intact deposits and/or research potential. Sites 16SJ59, 16SJ63, and 16SJ65 fell wholly within the survey area and were recommended not eligible for listing on the National Register of Historic Places. The portions of sites 16SJ28 and 16SJ109 that are within the project area were recommended not eligible for listing on the NRHP. However, the Louisiana State Historic Preservation Office concluded Locus 7 of 16SJ28 and Locus 2 of 16SJ109 needed further archaeological work.

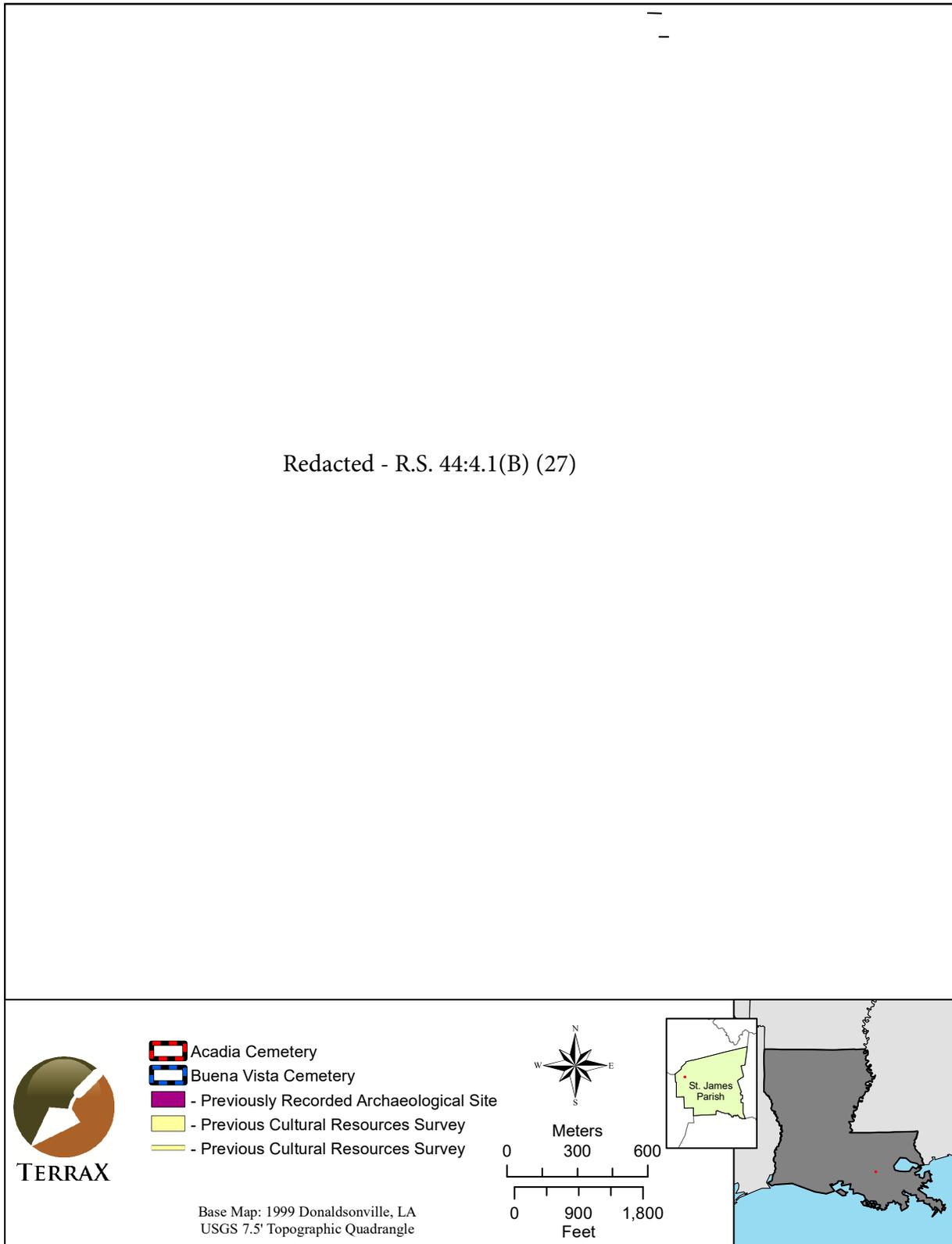


Figure 4.1. Map showing the Acadia and Buena Vista Cemeteries, previous cultural resource surveys, and recorded archaeological sites.

22-6100 was a Phase II archaeological testing and evaluation of two sites (Locus 7 of 16SJ28 and Locus 2 of 16SJ109) by CMEC (Rush et al. 2018b). CMEC was contracted by Zephyr Environmental Corporation (now POWER Engineers, Inc. [POWER]) on behalf of FG LA LLC. The project found no intact features or cultural deposits at either site and both were listed as ineligible for NRHP listing. No further work was recommended for either site.

22-6110 was a Phase I cultural resources survey for the West Bank/Inca Tract in Welcome in St. James Parish, Louisiana (Jackson et al. 2018). The contract was conducted by TerraX for FG LA LLC as a due diligence project. During the survey three separate archaeological loci were recorded (16SJ69, 16SJ70 and 16SJ115). All of these locations fall within the known boundaries of the Historic Elina and Acadia Plantations. None of the sites investigated during this survey were recommended eligible for NRHP listing and no further archaeological work was suggested.

22-6112 was a Phase I cultural resources survey for the Bertaut Tract in Welcome in St. James Parish, Louisiana (Jackson et al. 2019a). This contract was also conducted for FG LA LLC as a due diligence project. During the survey four separate archaeological loci were recorded or reinvestigated (16SJ70, 16SJ116, 16SJ117, and Isolated Find Bertaut 6). All of these locations fall within the known boundaries of the Historic Acadia Plantation (16SJ109) and the Historic Elina Plantation. TerraX recommended the two newly recorded archaeological sites (16SJ116 and 16SJ117) and the isolated find, be listed as not eligible for the NRHP under Criteria A through D. Site 16SJ70, previously recorded as a portion of the Elina Plantation, was expanded into the project area. This portion of the site enters land that was once associated with the Acadia plantation as well. Because of the likelihood for intact buried cultural features and research potential, the eligibility of the site was recommended as undetermined for NRHP listing. Avoidance of the site was further recommended until the eligibility of the site could be firmly established.

22-6141 was the original archaeological monitoring and mechanical stripping project of the Acadia Cemetery for a proposed FG LA LLC project in St. James Parish, Louisiana (Peeples 2018). In October, 2018, TerraX conducted the investigation. Historic map research was conducted prior to the fieldwork by overlaying the 1886 Mississippi River Map of St. James with the current topographic map of the area. This research placed the possible cemetery in the middle of the plantation, 490 meters northeast of the railroad and just east of the main field road. Based on this information, TerraX performed archaeological monitoring and mechanical stripping of a small plot of land thought to be the possible location of the Acadia Cemetery. Unfortunately, the early topographic map was not a reliable indicator, which placed the cemetery roughly 300 feet northeast from its actual proposed location. This inaccuracy was discovered once the 1961 aerial was overlain on the most recent maps revealing a more accurate location for the proposed cemetery. As would be expected, the excavations did not find any evidence of burials, including coffin hardware or burial shafts. Site number 16SJ118 was assigned to the Acadia Cemetery.

The research also identified nine previously recorded sites within FG LA LLC property (16SJ28, 16SJ63, 16SJ65, 16SJ70, 16SJ74, 16SJ109, 16SJ116, 16SJ117 and 16SJ118) as seen in Figure 4.1. Site 16SJ28 includes all archaeological material recorded during the survey performed by CMEC that is associated with the Winchester/Buena Vista/Minnie Plantation (Rush et al. 2018b). The site covers 979.55 acres and includes several loci that are also previously recorded sites. Site 16SJ63 has been incorporated into 16SJ28 as Locus 3. First recorded in 2007, the site was reported as destroyed and then corroborated by CMEC in 2017. Site 16SJ65 was also incorporated into 16SJ28 as Locus 5. The site has also been reported as destroyed through heavy cultivation and the construction of a pipeline through the site. Site 16SJ74 was also incorporated into Site 16SJ28 as Locus 6. The site was recorded as a historic dumping site as no buildings were seen on historic maps in that area.

Site 16SJ63, Winchester Plantation, was originally recorded by Earth Search in 2007 (Rawls et al. 2008) and reinvestigated by CMEC during their survey for the FG LA LLC project (Rush et al. 2018a). The Winchester Plantation was originally named after its mid-nineteenth century owner, Judge Benjamin Winchester. The plantation was later referred to as the Buena Vista Plantation and the Minnie Plantation and at the time of the 2018 survey the area was still utilized primarily for sugar cane agriculture. Other than a large surface scatter, no structural evidence was found during the survey. It was not recommended eligible for NRHP inclusion. Since its recordation, the site has been combined under Site 16SJ28.

Site 16SJ70 was recorded in 2009 and the site boundaries were later expanded in 2018 by TerraX through their Phase I survey (Jackson et al. 2018). The site falls within the boundaries of the Acadia Plantation and therefore considered to be Locus 7 of the Acadia Plantation (16SJ109).

Site 16SJ109 was discovered by CMEC during a survey for a proposed project for FG LA LLC (Rush et al. 2018b). Three loci comprise the site and Locus 3 is closest to where the Acadia Cemetery is located. Locus 3 is at the location of the sugar mill shown on earlier maps of the Acadia Plantation, however, no foundations of the building were found through shovel testing or mechanical stripping. Of the seven features recorded within Locus 3, two features contained bone fragments that were determined to be non-human. CMEC found no indication of a cemetery located in the project area, but a map of the Acadia Plantation was later presented that included a cemetery. The boundaries of the site were expanded to encompass sites 16SJ116 (Locus 4) and 16SJ117 (Locus 5).

Site 16SJ118 was recorded as the Acadia Cemetery. The cemetery was not discovered during the survey but identified during map research. The proposed location of the cemetery was investigated by TerraX in 2018 (Peebles 2018). After fieldwork, it was realized that the proposed location was actually misplotted. The site number was assigned after completion of the 2018 investigation (Appendix D).

There are no other resources listed on the NRHP nor the Historic Standing Structure Survey Files at the State Library in Baton Rouge, Louisiana within FG LA LLC property.

CHAPTER 5 METHODOLOGY

FIELD METHODS

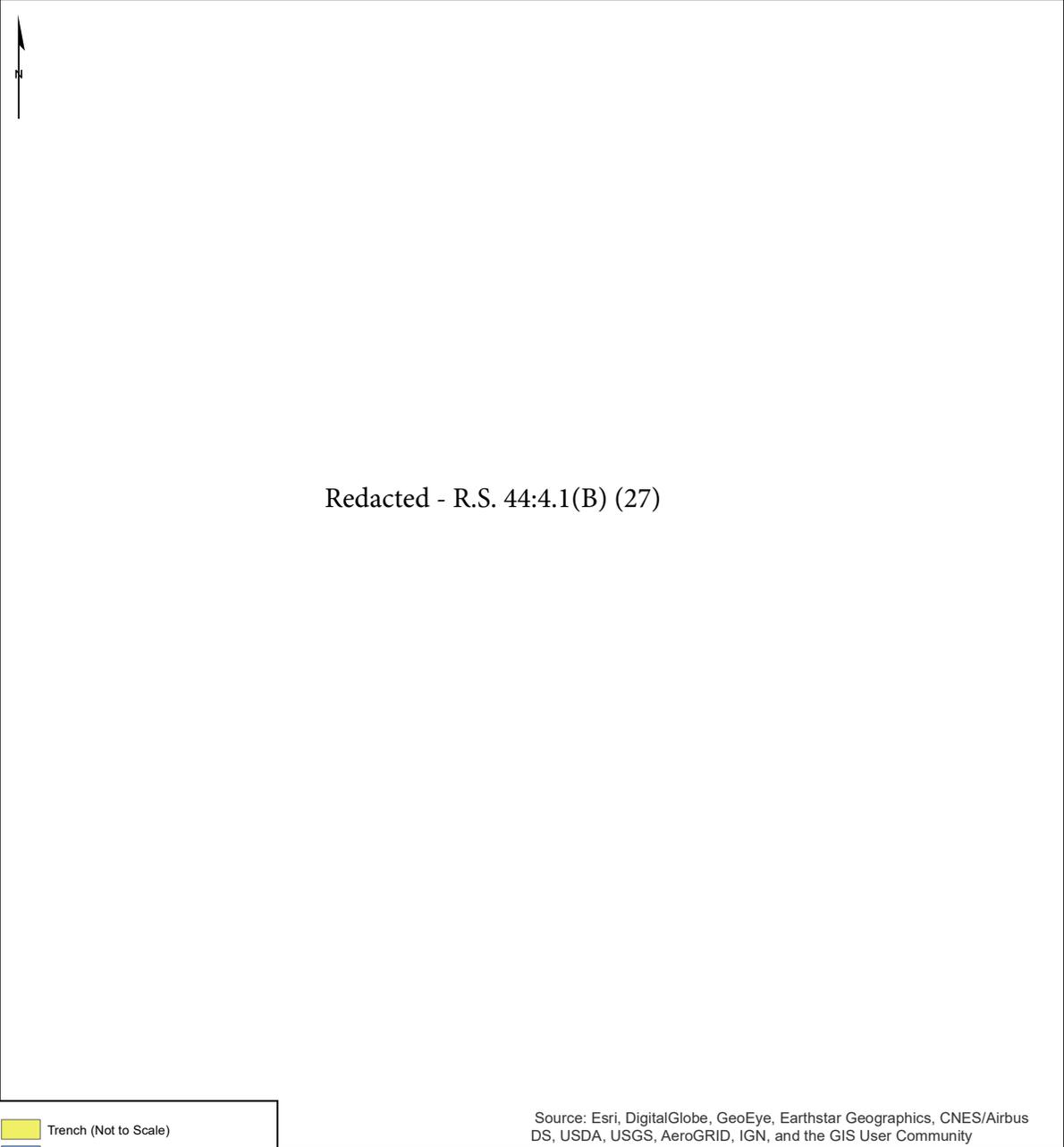
To accomplish the cemetery investigation, TerraX used the following steps: 1) land clearing, 2) mechanical stripping, 3) archaeological monitoring, 4) feature mapping, and 5) marking any potential burials.

To create a detailed map of the Acadia and Buena Vista cemeteries, including the locations of all graves and potential graves, several methods were employed. The first step involved clearing of the vegetation, including all cane, scrub brush and undergrowth, from the immediate area of the proposed cemetery locations along with a 100-ft. buffer zone, when possible. The soil and upper duff layer was carefully raked and removed across the entire surface of the project, when possible. This allowed for an unobstructed viewing of the ground surface. While this task was being undertaken, any marked graves, potential graves, and funerary objects evident on the surface were identified, cataloged, and mapped with a GPS unit with sub-meter accuracy.

TerraX used mechanical excavations to cut long trenches in the 100 ft. buffer zone and within the possible cemetery locations (Figure 5.1). Initially, a total of eight trenches were cut across portions of the Acadia Cemetery and eight trenches across Buena Vista Cemetery. More were originally proposed but it was determined additional trench excavation was unnecessary (Figures 5.2 and 5.3).



Figure 5.1. Photograph of the trenching process on the Buena Vista Cemetery, facing southwest.



Redacted - R.S. 44:4.1(B) (27)

- Trench (Not to Scale)
- Potential Trench (Not to Scale)
- Acadia Cemetery New Location
- 100' Buffer (Protective Zone)
- Property Boundary Buffer Zone 300ft

Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

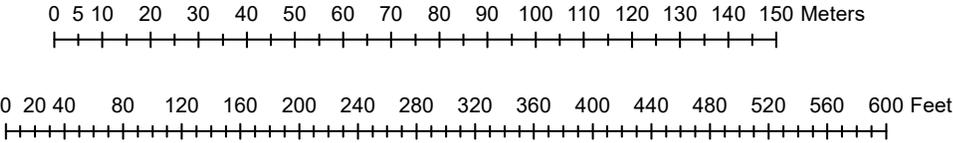
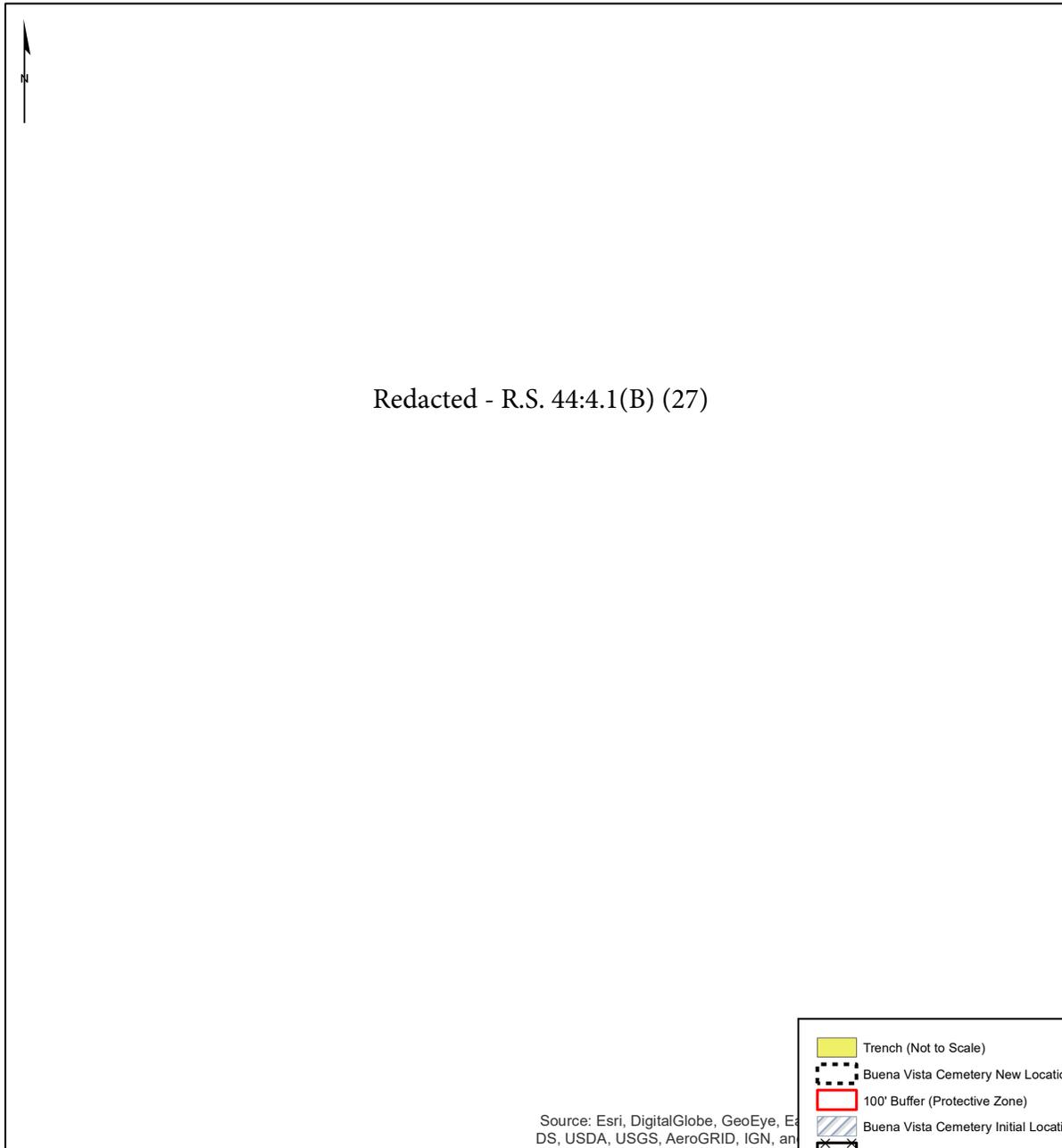


Figure 5.2. Proposed trench excavations at the Acadia Cemetery.



Source: Esri, DigitalGlobe, GeoEye, Earthstar, USGS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

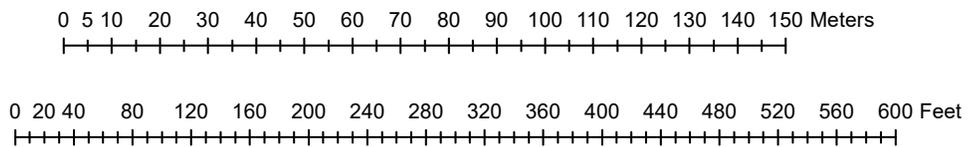
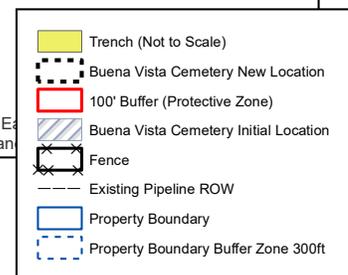


Figure 5.3. Proposed trench excavations at the Buena Vista Cemetery.

Using a backhoe with a 3-ft. wide, smooth bucket, soils were exposed in approximately 5 to 10 cm levels. At least one TerraX staff member monitored the scraping activities at all times, while other crew members conducted more delicate hand excavations around uncovered artifacts and potential features or burials associated with the cemetery. The results of these excavations were recorded on TerraX monitoring forms and soil deposits were described using conventional texture classifications and Munsell color designations. Excavated areas were also photographed and recorded with handheld GPS units. Excavations continued until sterile clay subsoils are encountered or until water filled the trenches. These depths varied based on the depth of plowed disturbances.

All cultural features encountered were drawn and photographed in plan view and their precise location recorded and incorporated into the site map. Graves or human remains, when encountered, were identified and incorporated into a site map. Mechanical stripping continued through the project areas until the project area was cleared of potential human burials and the extent of the cemetery was fully delineated. In addition to photographs taken while documenting features and graded areas, general photographs were taken throughout the course of the project. All documentary photographs consisted of digital stills.

Any potential graves and funerary objects found during stripping were cleaned off, mapped, and photographed. Once stripping and mapping was complete, each burial shaft was covered back over with soil. The corners of the grave shafts were marked with metal spikes.

Any human remains and potential funerary objects encountered during the stripping were mapped but left in place. The one exception to this was if the remains or objects were found in clearly disturbed, including plow zone, contexts, in which case they were collected. They were temporarily retained by TerraX until the parties determine their appropriate disposition.

An Unmarked Burial Sites permit issued by the Division of Historic Preservation and Archaeology was required before fieldwork began (Appendix A).

LABORATORY METHODS AND COLLECTION CURATION

Any material recovered during the investigation was delivered to the TerraX laboratory facility in Tuscaloosa, Alabama where stabilization, cleaning, analysis and preparation for curation were performed. With the initial receipt of the material and field forms, a Microsoft Access database was created providing an excellent template for the material recovered and the "Classifications" of all the cultural material. Having this information in a database format provides for accurate tracking of all necessary information that was gathered. Thus, TerraX had the exact data necessary for the printing of the labels for curation and the preparation of archival material.

Cultural materials were cleaned and sorted on the basis of morphological attributes, raw material type, measurements, and/or function. Historic artifacts were sorted primarily on the basis of material, function, method of manufacture, and any maker's/manufacturer's marks. In many cases, fragments cannot tell the entire story and without complete glass vessels or whole examples of ceramics, including bricks, an exact date range is difficult, if not impossible, to ascertain. In such cases, TerraX strived to relate as much information as possible in the description of each artifact. In order to gain a better understanding of each area, the artifacts are grouped in categories similar to those proposed by Stanley South (1977) with some modifications. The broad categories used are Architectural, Kitchen, Activities, Clothing, Personal, Arms, Tobacco Pipe, and Other. Using these categories, all architectural items can be seen in one section without the reader viewing brick attributes in the ceramics section and window glass in the glass section, etc.

All project records, photographs, and maps produced while conducting the investigation are transported for curation to the Troy University Archaeological Research Center, Troy, Alabama (Appendix C).

CHAPTER 6 FIELD RESULTS

SITE 16SJ119 - BUENA VISTA CEMETERY

The archaeological investigation of the Site 16SJ119, the Buena Vista Cemetery, originally included the mechanical excavation of nine trenches, but only eight were actually dug in order to limit physical impacts to the cemetery and possible human remains. These trenches were broken up into various sections due to the presence of a fence and a field road running through the site boundaries. All of the trenching took place in previous sugar cane fields (Figure 6.1). These fields are made up of a mounded linear strip of dirt, in which the sugar cane is actually planted and two furrowed areas of either side, to drain water from the roots. Because of this planting style the depth of impact averaged around 1.5 ft. deep. Everything above this was turned and mixed. In addition, based on the amount of rain, the water level in the trenches, which seeped up through the floor was about 2 ft. in depth. Therefore, anything intact was recorded just below the plow line and just above the water line.

In total, four burials, eight potential grave shafts (PGS), and 14 posts or post holes were found through mechanical stripping (Figure 6.2). Burials were defined as a feature containing observed human remains within a defined stain. Typically, wooden fragments and coffin nails were also observed, either in the feature stain or in close proximity. A potential grave shaft (PGS) was defined as a darker or lighter soil, compared to the base soil color of the trench, which contained angled or straight edges. Often the stains were oriented east-west. Occasionally, very small fragments of nails or wood were observed within the PGS but not always. Posts are defined as square or circular stains of darker or lighter soil noted in the base of the trench excavations. The square posts are obvious results of human's digging a hole and placing a square post in the ground. The circular stains are less clear and seem likely they are actually the result of the natural growth of trees, which



Figure 6.1. Photo of mechanical excavations within the Buena Vista Cemetery, facing southwest.

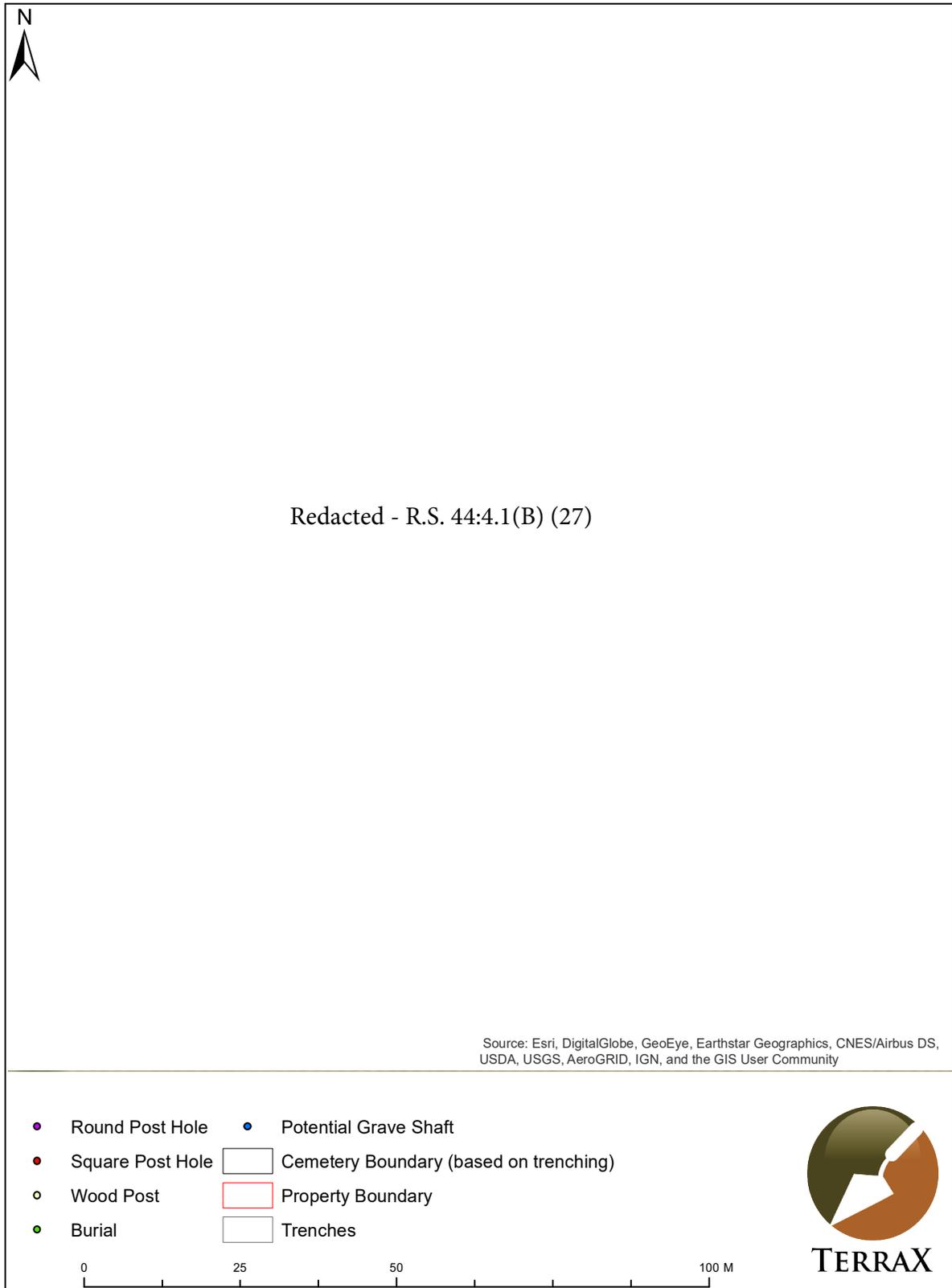


Figure 6.2. Map of the Buena Vista cemetery, excavated trenches, and recorded features.

are noted on earlier maps in the area. The stains were not bisected, as would be typical in a Phase II or Phase III excavation, so their origin cannot be determined. The Post category also includes actual wooden posts that were still driven into the ground or lay prone on the floor of the trenches. The condition of the posts, speaks to the exceptional preserved state of fragile materials in portions of the cemetery. This fact and the observed state of the some of the human and animal bone, leads us to believe, if excavated, a fair amount of bone preservation is likely. A list of artifacts collected from each trench can be viewed in Appendix B.

Initially, our plan was to excavate the trenches from west to east and from outside the presumed limits of the cemetery into the main concentration of human remains. However, after opening Trench 1 we soon realized how difficult the soil was to discern stains. This was due mainly to the depth of plowing and furrowing disturbance and the water content in the soil from recent rains. In order to better understand the soil conditions and to know what a definite grave looked like we moved the excavations to Trench 5, the presumed center of the cemetery. Soon into the excavation of Trench 5, grave shafts, posts, and bone fragments were clearly evident. After completion of this trench, our crews felt more secure in the identification of graves and potential burials, so we moved back to Trench 1 and proceeded with the monitoring process. Once the Louisiana Division of Archaeology staff observed the excavation, it was determined that mechanical stripping would stop once the boundaries of the cemetery were determined by one trench from the East and one trench from the West containing a burial or potential grave shaft. The northern and southern boundaries were already defined in the existing trenches.

In addition to the burial material, a heavy concentration of brick fragments, metal, glass, and animal bone were noted nearest the east-west road, on either side. The series of posts identified in the trenches may be associated with this scatter of material or possibly with a fence line associated with the cemetery. The recovered artifacts are undoubtedly associated with the cemetery but to what extent is unclear. They could represent portions of brick columns surrounding the cemetery or more likely a small structure with a chimney or brick footing that had been destroyed over time. The large and diverse collection of animal bone, which included horse, cow, pigs, and small bird was scattered throughout the plowzone and found as the trenches were cut. Many of the large bones of pig and cow had visible cut marks, which indicates the animals were slaughtered and probably prepared for a consumption, rather than being buried, wholly, adjacent to the known cemetery.

After digging eight trenches the previous boundaries of the cemetery were defined. Trenches 1 and 2 were located to the Northwest of the cemetery, while Trenches 3A, 5A-9A, 5B, and 9B were located to the Northeast of the cemetery. Trenches 3B, 5C, and 9C were excavated within the cemetery. The furthest southern PGS was noted in Trench 5 and the excavation was extended 30 meters past this discovery. Based on these findings, we defined the new limits of the Buena Vista Cemetery boundaries (see Figure 6.2).

TRENCH 1. Trench 1, running northeast-southwest, was placed to the northwest of the cemetery, approximately 20 m west-northwest of the northeast-southwest running field road. The trench was broken up into 1A and 1B due to a field running east-southeast and west-northwest through it. The GPS coordinates for the northeastern end of Trench 1A read: E0701386, N3326983, NAD 83. The southwestern coordinates read: E0701380, N3326974, making the trench 11.1 m in length. The GPS coordinates for the northeastern end and southwestern end of Trench 1B read: E0701375, N3326967 and E0701337, N3326902, respectively, making this portion of the trench 75.9 m in length. The mechanical excavator removed the topsoil, which was approximately 10 cm in thickness, and then proceeded to scrape thin layers of soil (2 to 5 cm thick) while archaeologist monitored the activities. Four features were noted during the investigation of this trench, none of which were human remains or potential grave shafts (Figure 6.3). In each instance, when first noted, the excavation ceased until the potential feature could be better defined. Often this was difficult because of encroaching water.

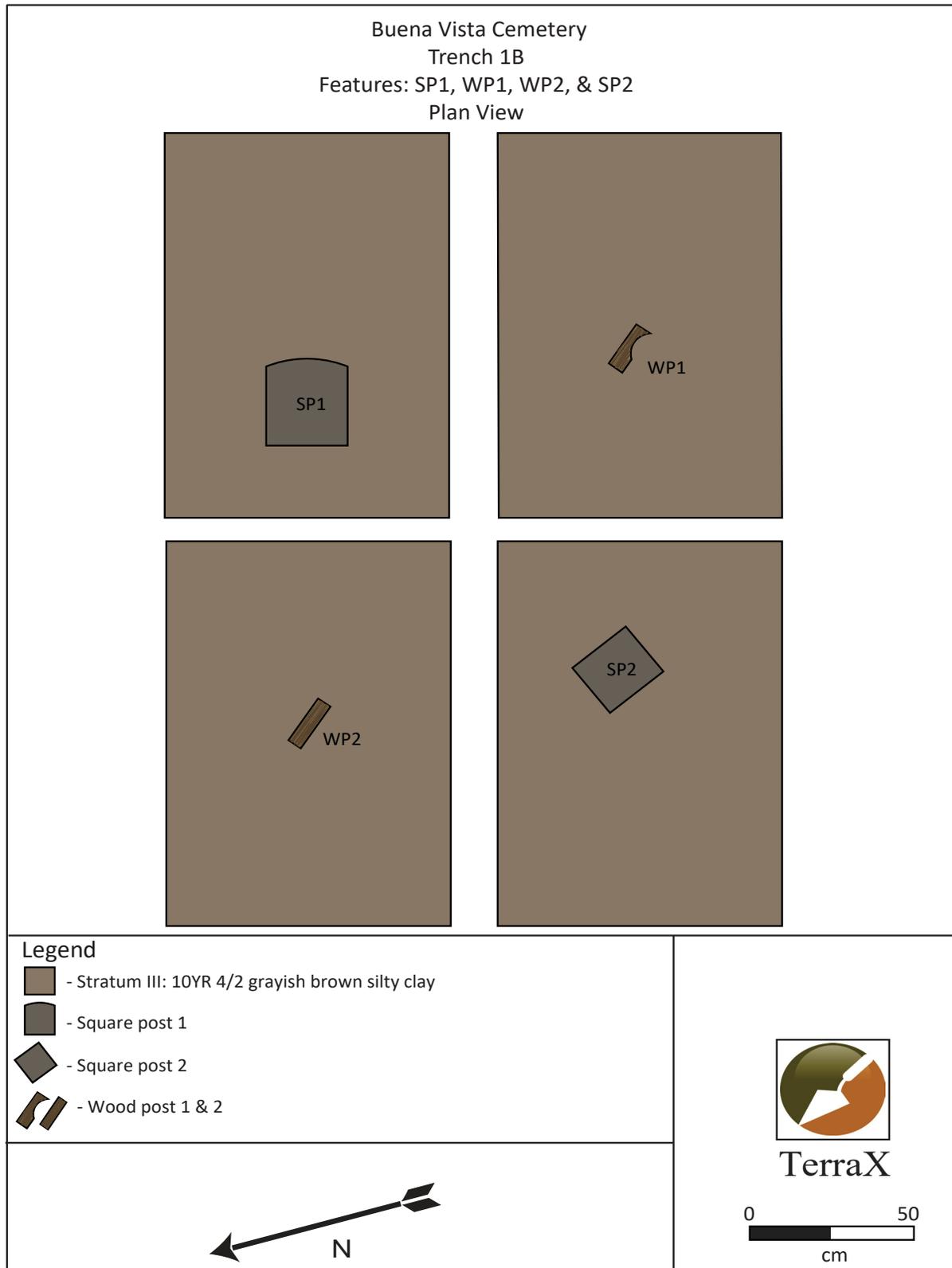


Figure 6.3. Trench 1, feature plan views.

SQUARE POST 1. Feature 1 was encountered 20.3 m from the northeast end and 50 cmbs. The feature was a 25-x-25 cm square and determined to be a possible post hole or a possible tree stain (see Figure 6.3). The stain was composed of a dark gray (10YR 4/2) clay. No wood was found in association with the stain.

WOOD POST 1. Feature 2 was encountered 51.4 m from the northeast and 48 cmbs. The feature was a wood post measuring 15-x-5 cm (see Figure 6.3). The soil surrounding the post was Stratum III, within the trench. The post itself had been broken in some area and fragments could be seen around the intact wooden plank.

WOOD POST 2. Feature 3 was similar to the previous feature. It was encountered 53.5 m from the northeast and 54 cmbs. The feature was a wood post measuring 15-x-5 cm (see Figure 6.3). This post was better preserved than Feature 2, as it was still fully intact from the depth it was encountered. Both wood posts were left *in situ*.

SQUARE POST 2. Feature 4 was encountered 58.6 m from the northeast and 46 cmbs. The feature was a 20-x-20 cm square stain that was determined to be a post hole (see Figure 6.3). The soil was comprised of a dark gray (10YR 4/2) clay and no wood was found in association with it.

The soil profile included three distinct strata. The upper 10 cm made up the plowzone but the furrows cut into the underlying soil to a depth of 1.5 ft. to 2 ft. After 2 ft. the water began to seep or flow into the trench.

Stratum I consisted of grayish brown (10YR 5/2) clay loam and extended from 10-35 cmdb. Stratum II was exposed at 30 cmdb, extended to 45 cmdb, and consisted of yellowish brown (10YR 5/6) silty clay. Stratum III was exposed at 40 cmdb, extended to the floor at 70 cmdb, and consisted of grayish brown (10YR 4/2) silty clay.

<i>Trench 1 B/0-60 CMBS</i>			<i>Bag: 1</i>
Artifact Type	Count	Weight (g)	Accession #
ferrous metal bar fragment	1	228	2019.11802
ferrous metal wire[2=1]	2	0.5	2019.11801
Location Totals	230	228.5	

TRENCH 2. Trench 2, running northeast-southwest, was placed on the southeast side of Trench 1 and was again broken up into two portions in order to avoid the field road running through the project area (see Figure 6.2). The GPS coordinates for the northeastern end of Trench 2A read: E0701392, N3326985. The southwestern coordinates read: E701385, N3326971, making the trench 15 m in length. The GPS coordinates for the northeastern and southwestern ends of Trench 2B read: E701380, N3326965 and E701333, N3326883 respectively, making this portion of the trench 94 m in length. The excavator removed the topsoil that was approximately 10 cm and then proceeded to scrape thin layers of soil between 2 and 5 cm thick. Artifact recovery included a large metal spike and a medium to large mammal epiphysis and shaft that was non-human (Appendix B).

ROUND POST 5. One feature was encountered in Trench 2B. This feature was encountered 57.6 m from the northeast and 50 cmbs. The feature was determined to be a round post or tree, based on its circular shape. It measured 30 cm in diameter and had wood embedded within the stain as well as some fragments of wood found nearby (Figure 6.4). The soil was composed of a dark yellowish brown (10YR 4/4) silty clay mottled with wood fragments. The wood was poorly preserved as it looked very wet and disintegrated when the area was troweled down.

The soil profile included two distinct strata. Again the plowzone consisted of approximately the upper 10 cm of soil. Furrows extended to a foot to 1.5 ft. in depth throughout the trench. Water seeped in after 2 ft. in depth.

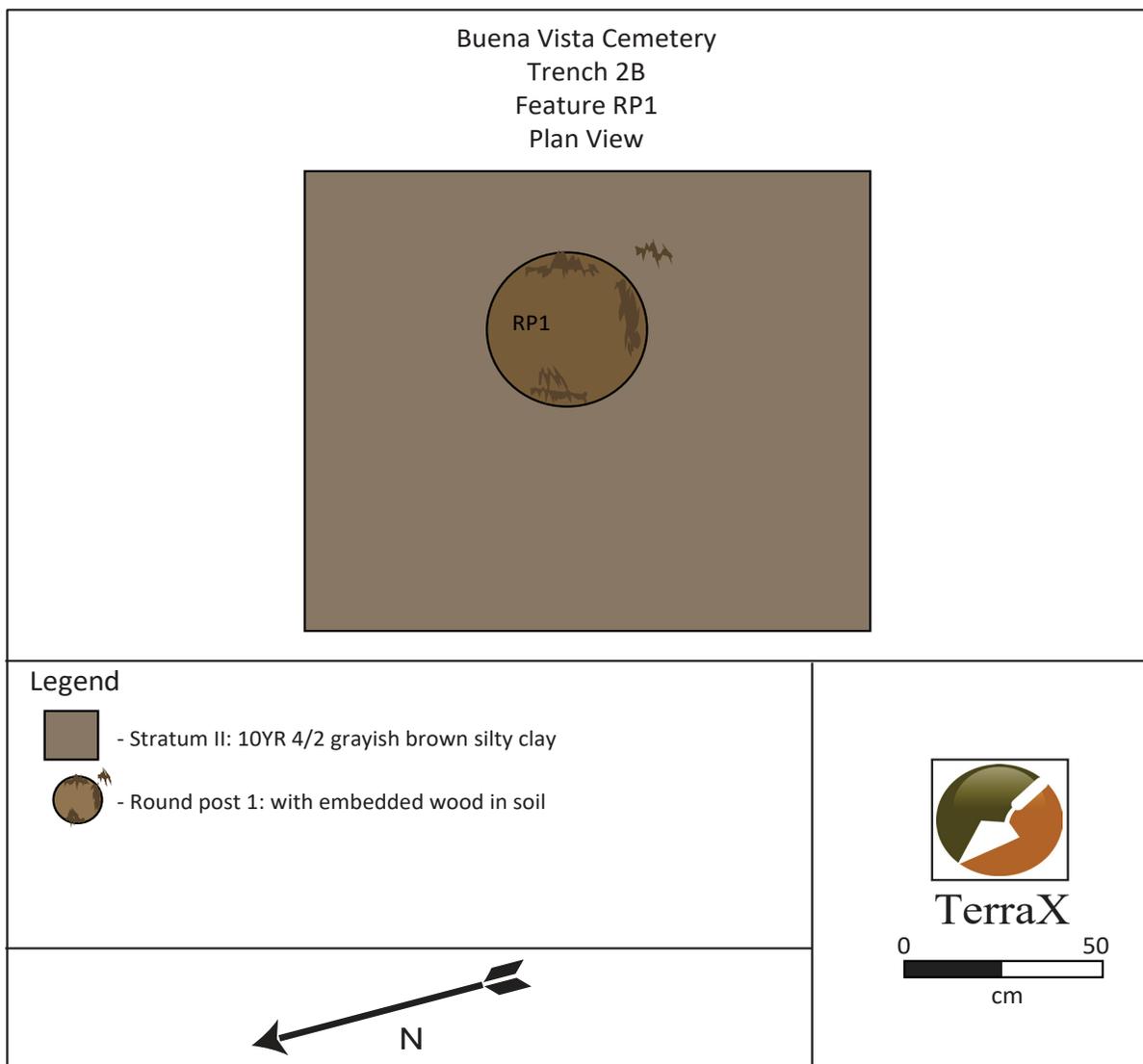


Figure 6.4. Trench 2, feature plan view.

Stratum I consisted of dark grayish brown (10YR 4/2) clay loam and extended from 10-39 cmbd. Stratum II was exposed at 35 cmbd, extended to the floor at 60 cmbd, and consisted of yellowish brown (10YR 5/6) silty clay.

<i>Trench 2 A</i>			<i>Bag: 2</i>
Artifact Type	Count	Weight (g)	Accession #
medium to large mammal long bone epiphysis fragment	2	79.7	2019.11804
medium to large mammal long bone shaft fragment	3	11.6	2019.11803
medium to large mammal unspecified bone fragment	1	9.2	2019.11805
Location Totals	6	100.5	

TRENCH 3. Trench 3, running northeast-southwest, was placed on the southeast side of Trench 2 and broken up into two portions to avoid the field road. This trench ran adjacent and parallel to the northeast-southwest running field road. The GPS coordinates for the northeastern end of Trench 3A read: E701405, N3326992. The southwestern coordinates read: E701393, N3326968, making the trench 27.2 m in length. The GPS coordinates for the northeastern and southwestern ends of Trench 3B read: E701387, N3326961 and E701345, N3326887 respectively, making this portion of the trench 84.9 m in length. The excavator removed the topsoil that was approximately 10 cm and then proceeded to scrape thin layers of soil between 2 and 5 cm thick. Seven features were encountered in Trench 3B, including two definite human burials, 3 PGS, 1 wooden post and a square post (Figures 6.5-6.8).

BURIAL 3. Burial 3 was the first feature encountered within the trench and was located 1.4 m from the northeast end. It had several large human bones as well as wood fragments embedded within a dark stain 51 cmbs (see Figure 6.5). This was determined to be Burial 3 (two burials were discovered in Trench 5 which was excavated prior to Trench 3). The stain was rectangular in shape and measured roughly 80-x-60 cm from what was exposed in the trench. The stain most likely extended further to the northwest. The large bones appeared to be well preserved but were left *in situ* to avoid any further destruction to the potential human burial. The soil was comprised of a dark gray (10YR 4/1) silty clay. No material was recovered from the feature and after recordation, the feature was covered with plastic, the two identified corners marked with metal spikes and then covered with soil.

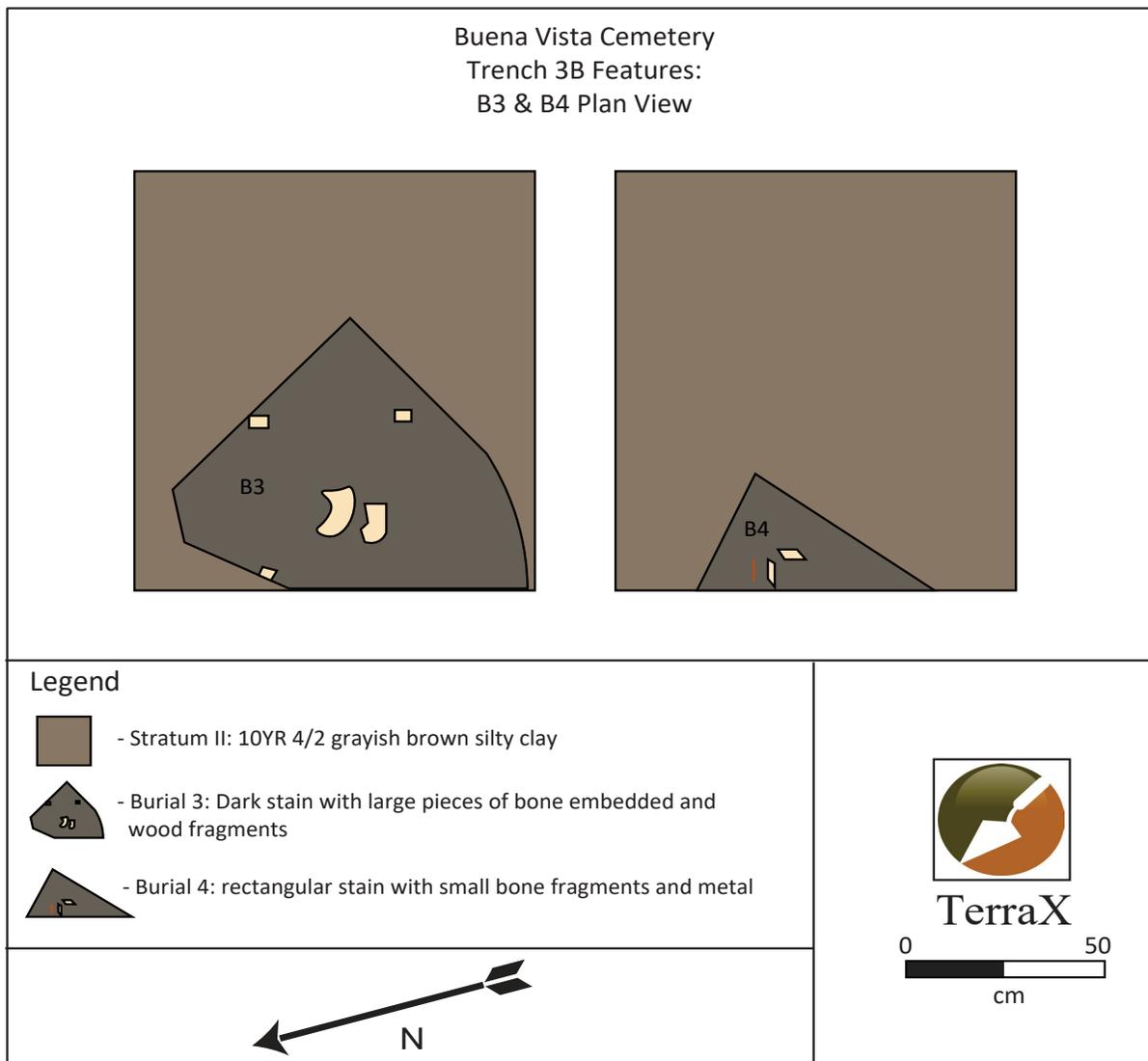


Figure 6.5. Trench 3, Burial 3 and 4 plan views.

BURIAL 4. The second feature in this trench was encountered 8.6 m from the northeast end and 46 cmbs. The feature contained a dark stain of soil with small bone and metal fragments. It was determined, because of observed associated materials, presence of bone, and general shape of the soil stain, to be Burial 4. The stain was triangular in shape measuring roughly 55-x-35 cm (see Figure 6.5). The soil was a dark gray (10YR 4/4) silty clay. The bones and metal were left *in situ* to keep them preserved. The feature was covered with plastic, the two identified corners marked with metal spikes, and then covered with soil.

PGS 5. The third feature in Trench 3 was encountered 16.5 m from the northeast end and 70 cmbs. The profile above the triangle shaped feature was cleared and the outline of the feature could be seen (see Figure 6.6). It was determined to be a potential grave shaft (PGS 5). The plan view of the potential grave shaft was a small triangle extending approximately 10 cm from the northwest wall. The soil in the plan view and profile was a dark gray (10YR 4/4) clay loam. No bones or associated artifacts were found within the stain. Like the proceeding burials, metal spikes were placed at the corners of the feature and the plastic was lain over the stain before being re-covered with soil.

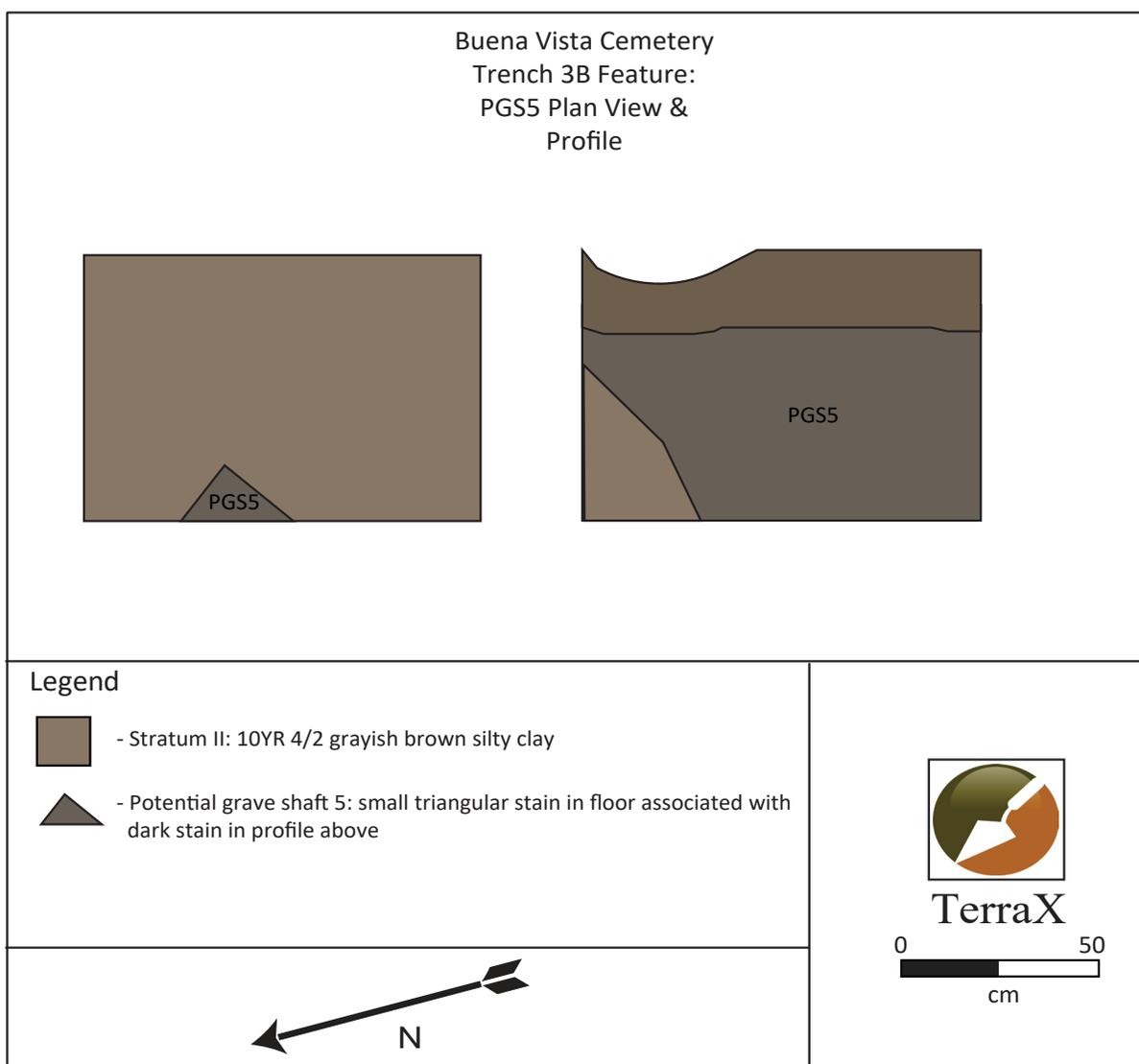


Figure 6.6. Trench 3, PGS 5 plan view and profile.

SQUARE POST 3. The fourth feature in this trench was located 40.3 m from the northeastern end and 45 cmbs. The feature was a small square stain measuring approximately 10-x-10 cm and was determined to be a square post hole (see Figure 6.7). The soil was comprised of a dark gray (10YR 4/1) silty clay. No wood was found in association with the post hole.

PGS 6. The fifth feature defined in this trench was located 46.6 m from the northeastern end and 50 cmbs. The dark stain extended 1.5 m southwest and was determined to be a potential grave shaft (PGS 6) (see Figure 6.7). No bone or wood was found in association with the stain, but its size, rectangular shape, and orientation indicated it was a potential grave shaft. The soil was comprised of a dark gray (10YR 4/1) mottled with the bottom stratum (10YR 5/4) clay loam. After recordation, metal spikes were placed at the corners of the feature and the stain was covered with plastic and soil.

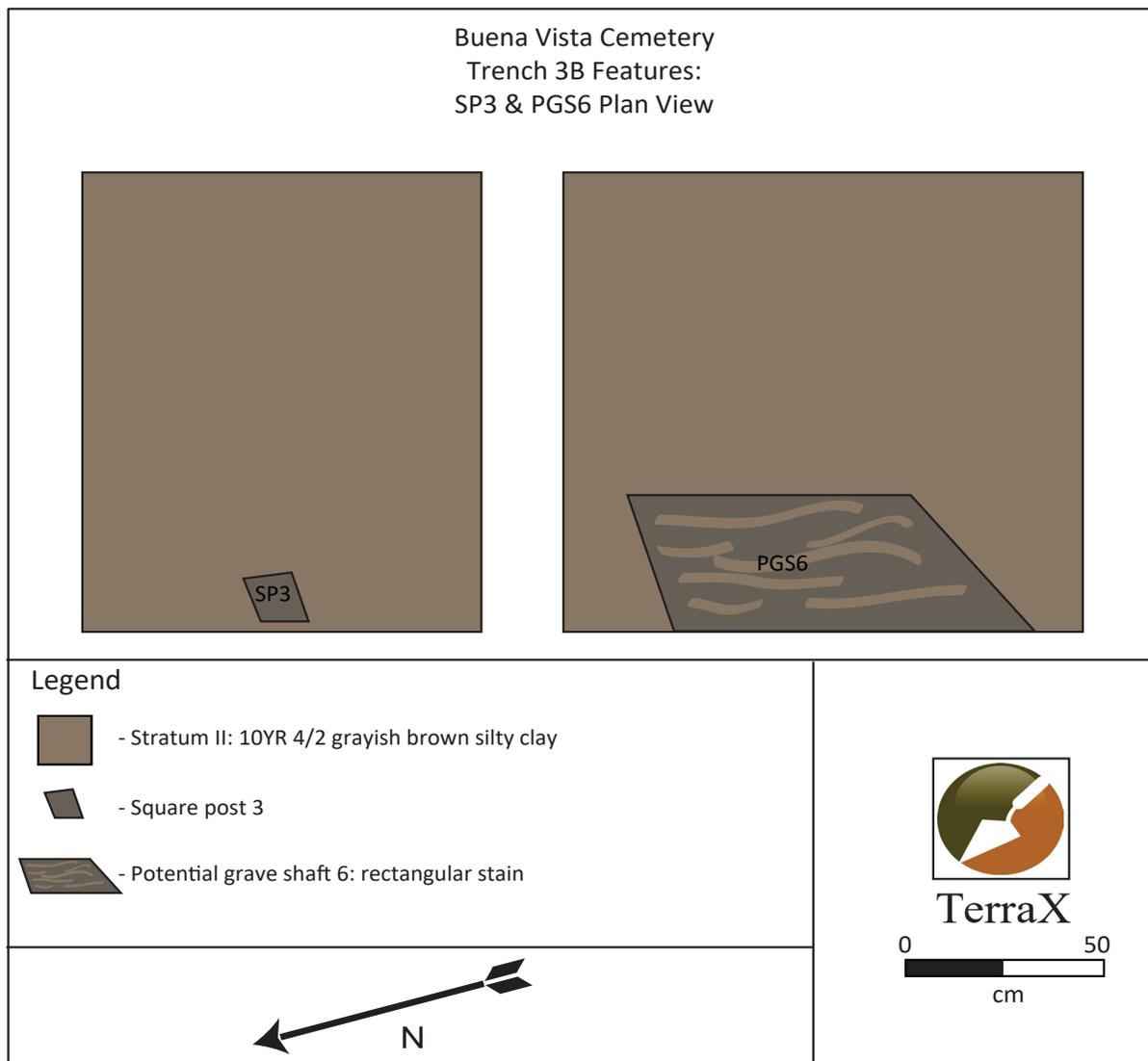


Figure 6.7. Trench 3, feature plan views.

WOOD POST 3. The sixth feature in the trench was located 51 m from the northeastern end and 50 cmbs. The feature was a wood post embedded into the ground measuring 55-x-10 cm and determined to be a displaced wooden post (see Figure 6.8). The post had been broken in some areas and its fragments could be observed nearby.

PGS 7. The final feature defined in this trench was located 54.3 m from the northeastern end and 60 cmbs. The feature had a rectangular shape that measured about 70 cm, but appeared to have been dragged across some 60 cm northeast creating a more blurred shape from that side (see Figure 6.8). The feature extended 60 cm from the northwestern wall. While no bone or wood was found in association to indicate a burial, the size, shape, and orientation indicated it was a potential grave shaft. The soil was comprised of a dark gray (10YR 4/1) mottled with the bottom stratum (10YR 5/4). After recordation, metal spikes were placed at the corners of the feature and the stain was covered with plastic and soil.

The soil profile included two strata. The upper plowzone was contained to approximately 10 cm in thickness but the associated furrows extended 1-foot to 1.5 ft. in depth. The soil remained relatively dry until excavating

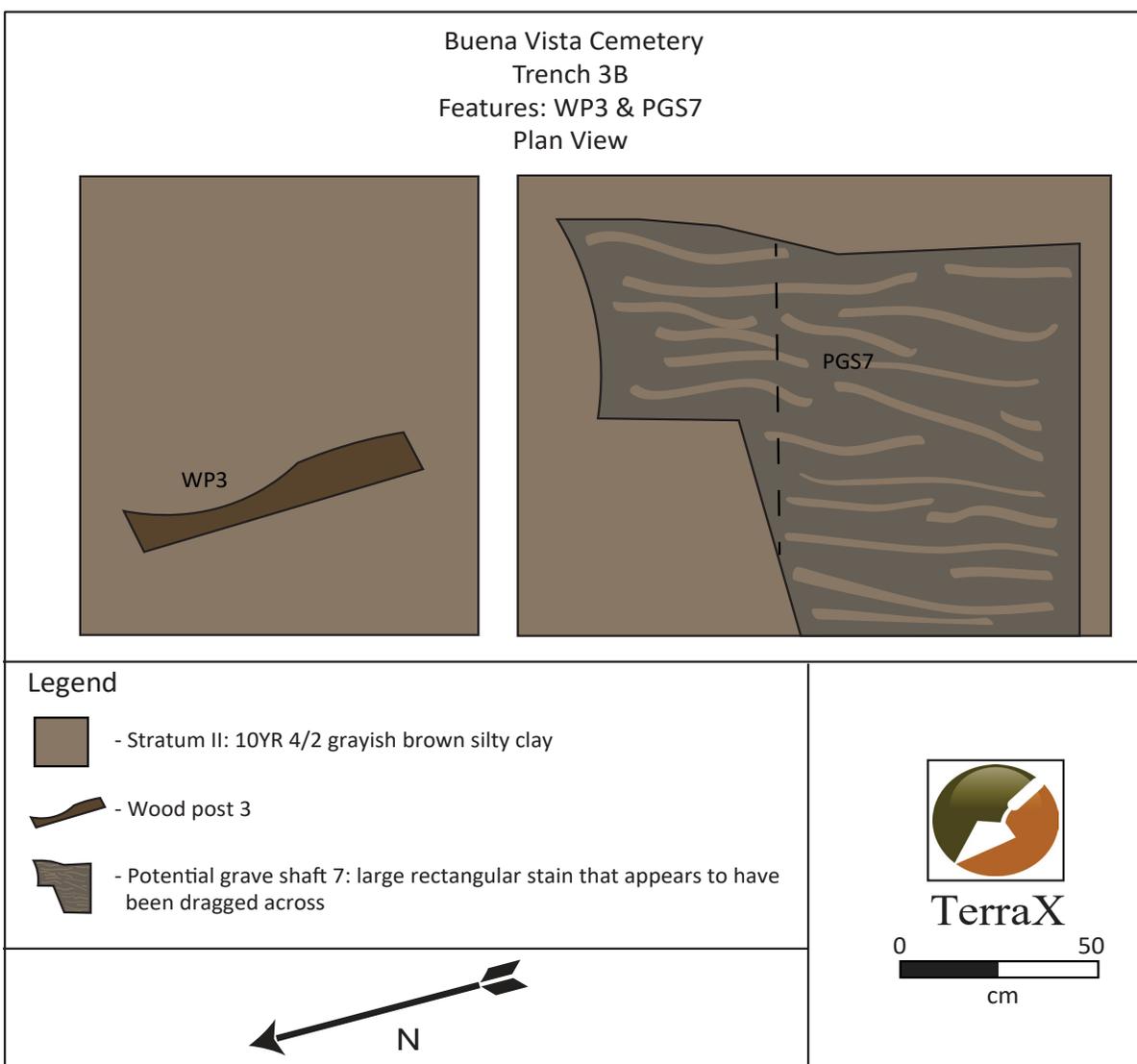


Figure 6.8. Trench 3, feature plan views.

past 2-ft. at which point water began to flow through the trench. The bone and wood preservation was excellent, considering the amount of time in the ground and the continued agriculture above.

Stratum I consisted of dark brown (10YR 3/3) clay loam and extended from 10-32 cmd. Stratum II was exposed at 29 cmbd, extended to the floor at 70 cmbd, and consisted of yellowish brown (10YR 5/4) sandy clay loam.

<i>Trench 3 B/0-60 CMBS</i>			<i>Bag: 4</i>
Artifact Type	Count	Weight (g)	Accession #
ferrous metal hexagonal nut	1	55.4	2019.11814
ferrous metal machine-cut nail fragment	1	5.0	2019.11811
ferrous metal spike	2	252.9	2019.11812
ferrous metal square bolt	1	105.1	2019.11813
ferrous metal wire nail	3	55.8	2019.11809
ferrous metal wire nail fragment	3	8.0	2019.11810
glass (amber container)	1	2.5	2019.11808
large mammal tooth	1	46.6	2019.11817
small to medium mammal epiphysis	2	3.7	2019.11818
small to medium mammal long bone shaft fragment	4	8.8	2019.11819
undifferentiated brick fragment	1	25.1	2019.11816
undifferentiated ferrous metal	1	10.2	2019.11815
Location Totals	21	579.1	

TRENCH 5. Trench 5, running northeast-southwest, was broken up into three portions to avoid the fence and field road. The GPS coordinates for the northeastern end of Trench 5A read: E701426, N3326993. The southwestern coordinates read: E701420, N3328993, making the trench 15m in length. The GPS coordinates for the northeastern and southwestern ends of Trench 5B read: E701417, N3326974 and E701410, N3326960 respectively, making this portion of the trench also 15 m in length. The GPS coordinates for the northeastern and southwestern ends of Trench 5C read: E701402, N3326948 and E701356, N3326866 respectively, making this portion of the trench 105 m in length. The excavator removed the topsoil that was approximately 10 cm thick and then proceeded to scrape thin layers of soil between 2 and 5 cm with each scoop. Eleven features were encountered in Trench 5C, including two definite human burials, 4 PGS, 1 wooden post, and 4 square posts (see Figures 6.9-6.14).

SQUARE POST 4. The first feature defined in the trench was located 3.6 m from the northeastern end and 50 cmbs. The feature was a square shaped stain with a lighter yellowish center, altogether measuring 25-x-28 cm (see Figure 6.9). Without having completed a profile excavation, it was determined to be a square post. The soil was comprised of dark gray (10YR 4/1) silty clay with a yellowish brown (10YR 5/4) center. No wood was found in association with Feature 1, but the soil change in the center of the stain indicates that a square shaped post would have been previously placed within it.

SQUARE POST 5. The second feature, in this trench was located 4.3m from the northeastern end and 50 cmbs. The feature was square shaped, measuring 27-x-30 cm. It was determined to be another square post (see Figure 6.9). The soil was comprised of a dark gray (10YR 4/1) silty clay. No wood was found in association with the post hole.

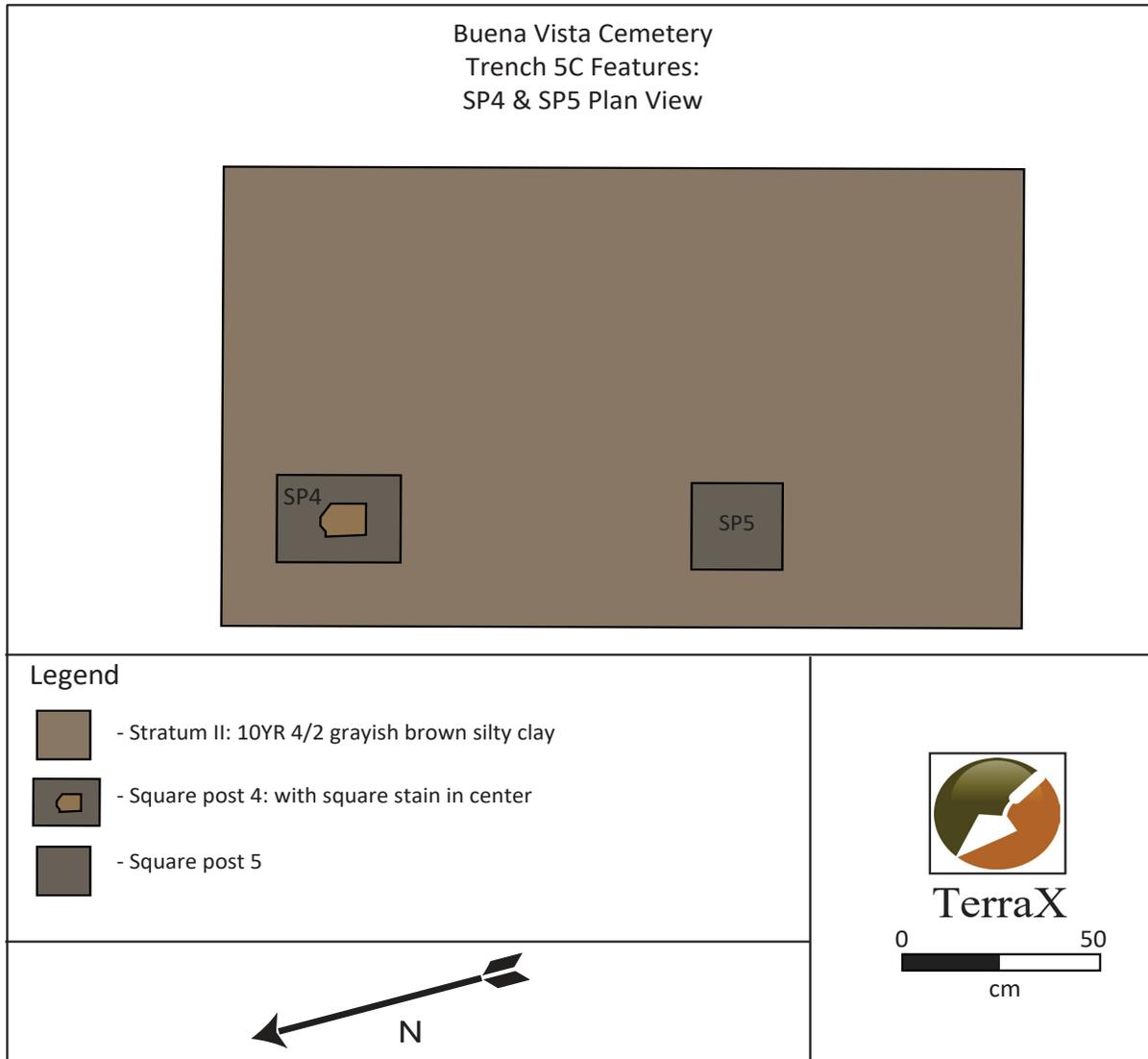


Figure 6.9. Trench 5, feature plan views.

WOOD POST 4. The third feature defined in the trench was located 9.3 m from the northeastern end and 60 cmbs. The feature was a wooden post located in the bottom of the trench and within the southeast wall. It measured 12-x-10 cm and was determined to be an intact, *in situ*, wooden post (see Figure 6.10). The wood was poorly preserved, due to being inundated in the water table and would have disintegrated if the upper portion were further troweled back.

SQUARE POST 6. The fourth feature uncovered in Trench 5 was encountered 10.7 m from the northeastern end and 50 cmbs. The feature was square shaped measuring 10-x-10 cm and determined to be another square post (see Figure 6.10). The soil was composed of dark gray (10YR 4/1) and had wood fragments within the stain. The wood was poorly preserved.

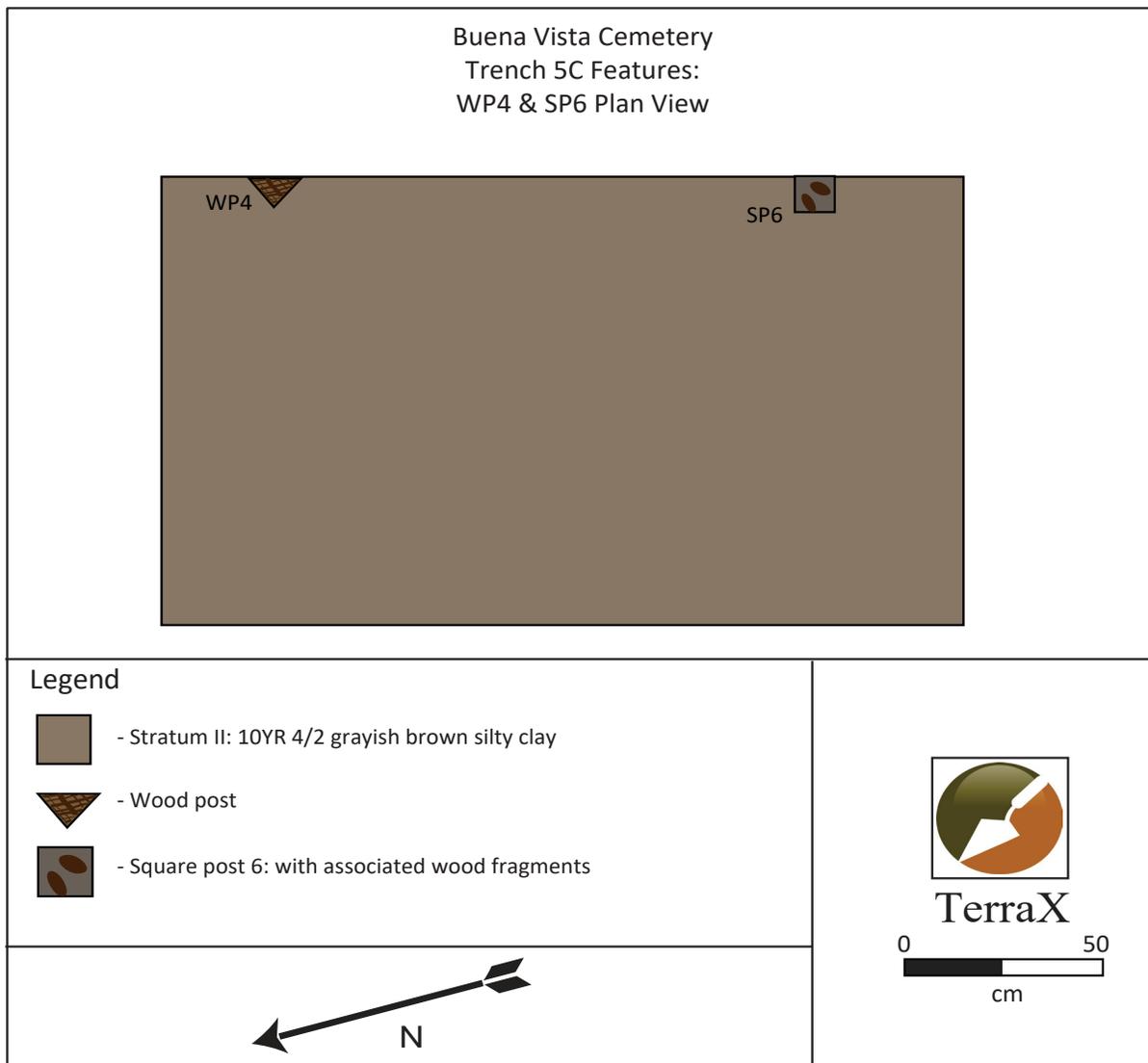


Figure 6.10. Trench 5, feature plan views.

SQUARE POST 7. The fifth feature defined in this trench was located 11.4 m from the northeastern end and 50 cmbs. The feature was a square shaped stain with a smaller squared stain in the middle measuring approximately 50-x-50 cm (see Figure 6.11). This appears to be a square post hole and associated post mold. The soil was composed of dark gray (10YR 4/1) silty clay in the outer square and brown (10YR 5/3) in the interior square. No wood was found in association with the feature.

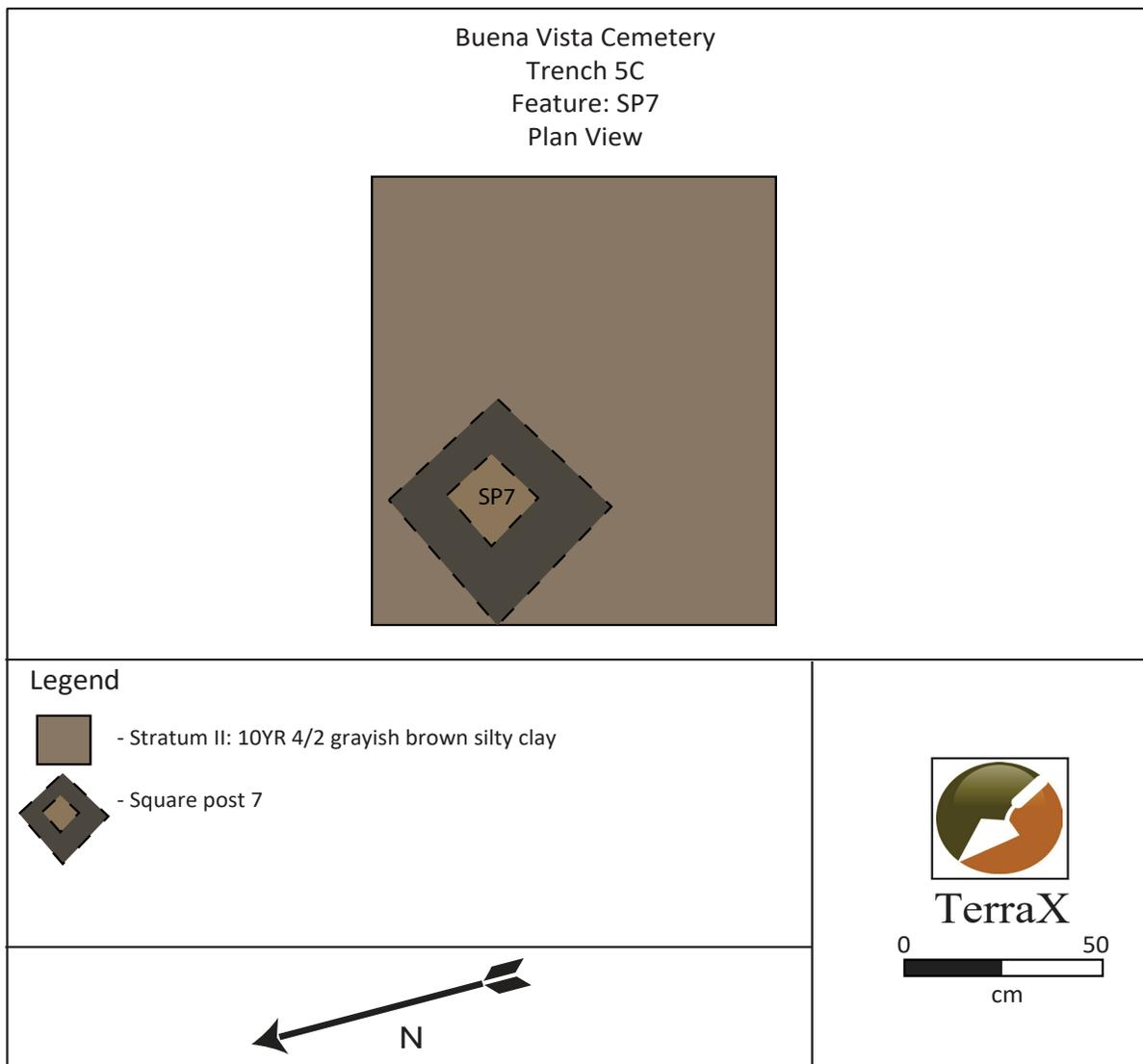


Figure 6.11. Trench 5, feature plan view.

BURIAL 2. Burial 2 was the sixth feature encountered in this trench and located 15 m from the northeastern end and 52 cmbs. The burial consisted of a triangular stain extending from the northwest wall measuring 5.2-x-11 cm (see Figure 6.12). It was determined to be a burial due to the shape, size, and presence of bone within the stain. The soil was composed of dark gray (10YR 4/4) silty clay. The bones were left *in situ* and the feature was covered with plastic, the identified corner marked with a metal spike, and then covered with soil.

BURIAL 1. The seventh feature defined in this trench was located at 28.4 m from the northeastern end and 52 cmbs. No distinct stain was observed due to the encroachment of water from the bottom of the trench, but a skull with teeth could be seen extending 5 cm from the southeast wall. The exposed skull measured 13 cm in length and determined to be a Human Burial (Burial 1) (see Figure 6.12). Four small coffin nails as well as a piece of wood, measuring 14 cm in length, were found in association with the burial. The skull appeared to be crushed by the weight of the upper layers of soil, but the bone was well preserved. All of the bones were left *in situ* and the feature was covered with plastic, the identified corners marked with metal spikes, and then covered with soil.

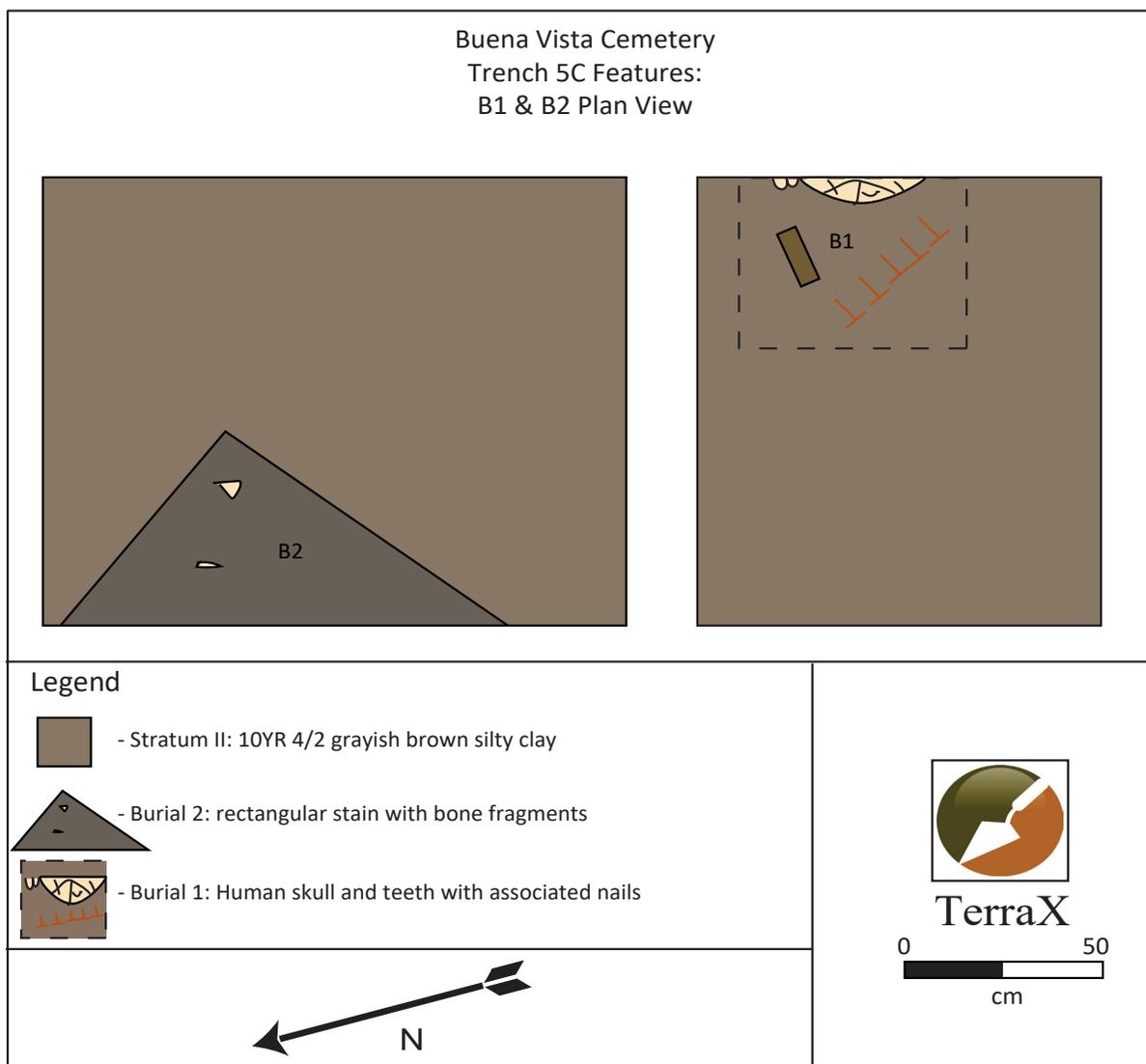


Figure 6.12. Trench 5, Burials 1 and 2 plan views.

PGS 1. Another stain, the eighth feature in Trench 5, was encountered 37.8 m from the northeastern end and 48 cmbs. The feature consisted of a rectangular stain with a smaller rectangular stain inside measuring 70-x-55 cm (see Figure 6.13). Based on the shape, larger size, and orientation of the stain, it was determined to be a PGS. The soil was composed of dark grayish brown (10YR 4/2) silty clay in the outside rectangle and dark gray (10YR 4/1) in the interior rectangular stain. No bone or coffin hardware was found in association with the feature. After recordation, metal spikes were placed at the corners of the feature and the stain was covered with plastic and soil.

PGS 2. The ninth feature was located 49.7 m from the northeastern end and 59 cmbs. The feature was triangular in shape and extended out 11 cm from the northwest wall (see Figure 6.13). Although no bone was found associated with the stain, the shape, size, and orientation suggested it was a PGS. The soil was composed of dark gray (10YR 4/1) silty clay. After recordation, metal spikes were placed at the corners of the feature and the stain was covered with plastic and soil.

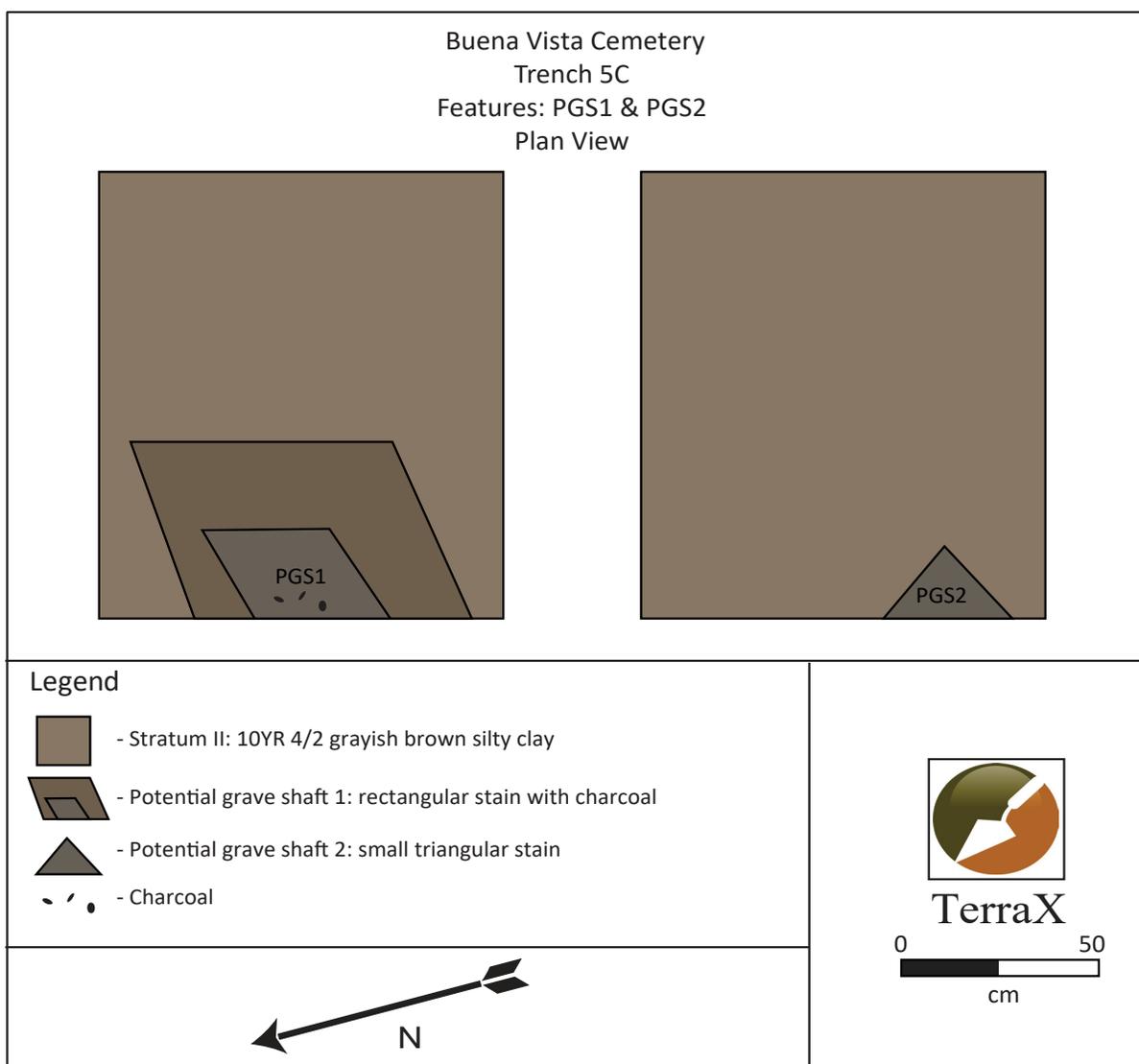


Figure 6.13. Trench 5, feature plan views.

PGS 3. The tenth feature in the trench was located 60.1 m from the northeastern end and 50 cmbs. The feature was rectangular in shape but also had a circular stain within the larger feature. The larger stain was approximately 50-x-50 cm and extended from the southeast wall (see Figure 6.14). The feature was determined to be a PGS based on the shape, size, orientation, and presence of a coffin nail. The soil was composed of yellowish brown (10YR 5/4) silty clay with the circular stain being a dark gray (10YR 4/1) clay. The lighter color in the middle to the northeast of the circular stain was very pale brown (10YR 8/3) clay. After recordation, metal spikes were placed at the corners of the feature and the stain was covered with plastic and soil.

PGS 4. The last feature defined in this trench was located 77.6 m from the northeastern end and 59 cmbs. The stain was faint, but appeared to be triangular in shape coming out from the northwest wall measuring approximately 55-x-40 cm (see Figure 6.14). Based on the size and shape of the feature, it was determined to be a PGS. The soil was composed of gray (10YR 6/1) silty clay. After recordation, metal spikes were placed at the corners of the feature and the stain was covered with plastic and soil.

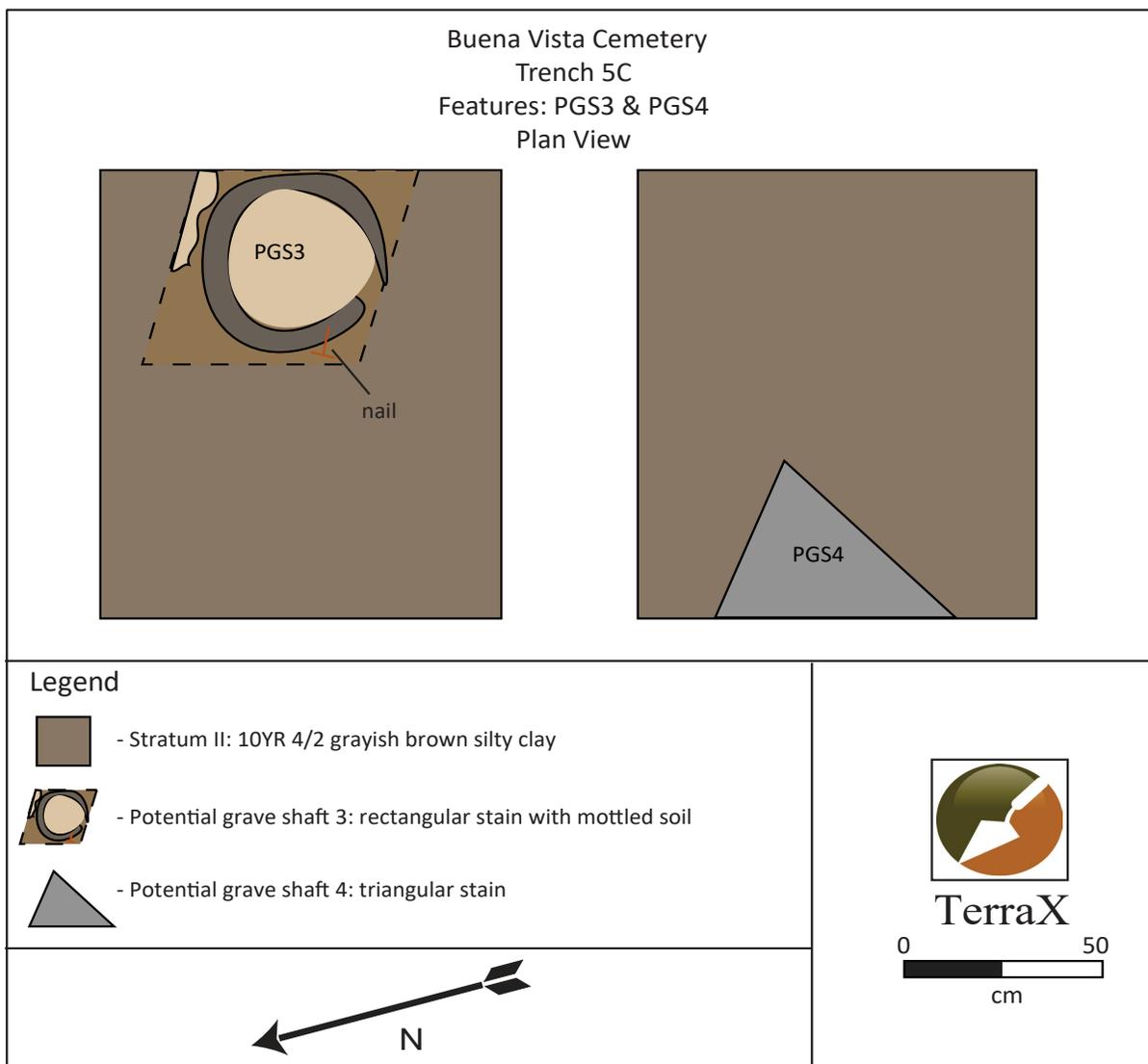


Figure 6.14. Trench 5, feature plan views.

The soil profile included two strata (Figure 6.15). The upper plowzone was contained to approximately 10 cm in thickness but the associated furrows extended 1-foot to 1.5 ft. in depth. The soil remained relatively dry until excavating past 2-ft. at which point water began to flow through the trench. Like the previous trench, bone and wood preservation was excellent.

Stratum I consisted of dark grayish brown (10YR 4/2) silty clay loam and extended from 10-50 cmbd. Stratum II was exposed at 45 cmbd, extended to 65 cmbd, and consisted of grayish brown (10YR 5/2) silty clay.

<i>Trench 5 B/60 CMBS</i>			<i>Bag: 3</i>
Artifact Type	Count	Weight (g)	Accession #
horse proximal phalanx	1	113.5	2019.11806
small mammal phalanx (crushed) [10=1]	1	0.1	2019.11807
Location Totals	2	113.6	

<i>Trench 5 C/30-60 CMBS</i>			<i>Bag: 5</i>
Artifact Type	Count	Weight (g)	Accession #
ferrous metal barbed wire fragment	1	5.0	2019.11824
ferrous metal container lid with steel mesh, with charcoal and aluminum fragments	1	87.5	2019.11826
ferrous metal machine-cut nail fragment	3	15.1	2019.11822
ferrous metal spike	1	63.8	2019.11825
ferrous metal wire	4	3.4	2019.11823
ferrous metal wire nail	4	67.4	2019.11820
ferrous metal wire nail fragment	2	4.3	2019.11821
large mammal tooth	1	12.8	2019.11829
medium mammal long bone shaft fragment	1	1.6	2019.11828
unspecified epiphysis bone fragment	1	28.3	2019.11827
Location Totals	19	289.2	

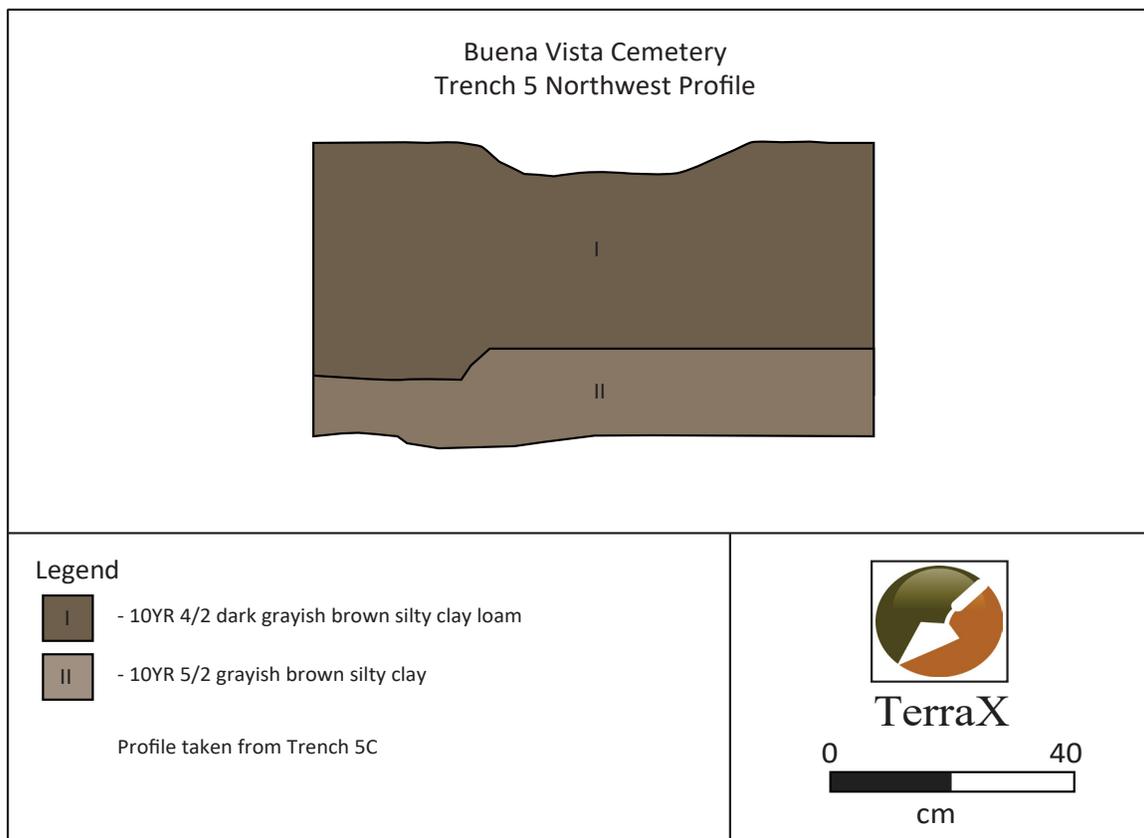


Figure 6.15. Trench 5, profile.

TRENCH 9. Trench 9, running northeast-southwest, was broken up into three portions to avoid the fence and field road. The GPS coordinates for the northeastern end of Trench 9A read: E701459, N3326976. The southwestern coordinates read: E701451, N3326964, making the trench 15m in length. The GPS coordinates for the northeastern and southwestern ends of Trench 9B read: E701445, N3326953 and E701441, N3326943 respectively, making this portion of the trench also 11.3 m in length. The GPS coordinates for the northeastern and southwestern ends of Trench 9C read: E701435, N3326931 and E701387, N3326841 respectively, making this portion of the trench 102 m in length. The excavator removed the topsoil that was approximately 10 cm and then proceeded to scrape thin layers of soil between 2 and 5 cm thick. Three features were encountered in Trench 9C, including a PGS and 2 posts (Figure 6.16).

PGS 8. The first feature defined in this trench as located at 44.4 m from the northeastern end and 50 cmbs. The feature was a rectangular shape extending from the northwestern wall measuring 80-x-70 cm (see Figure 6.16). It was determined to be PGS based on the size, shape, and orientation of the feature as well as the presence of burnt wood within the stain. The soil was composed of dark gray (10YR 4/1) silty clay mottled

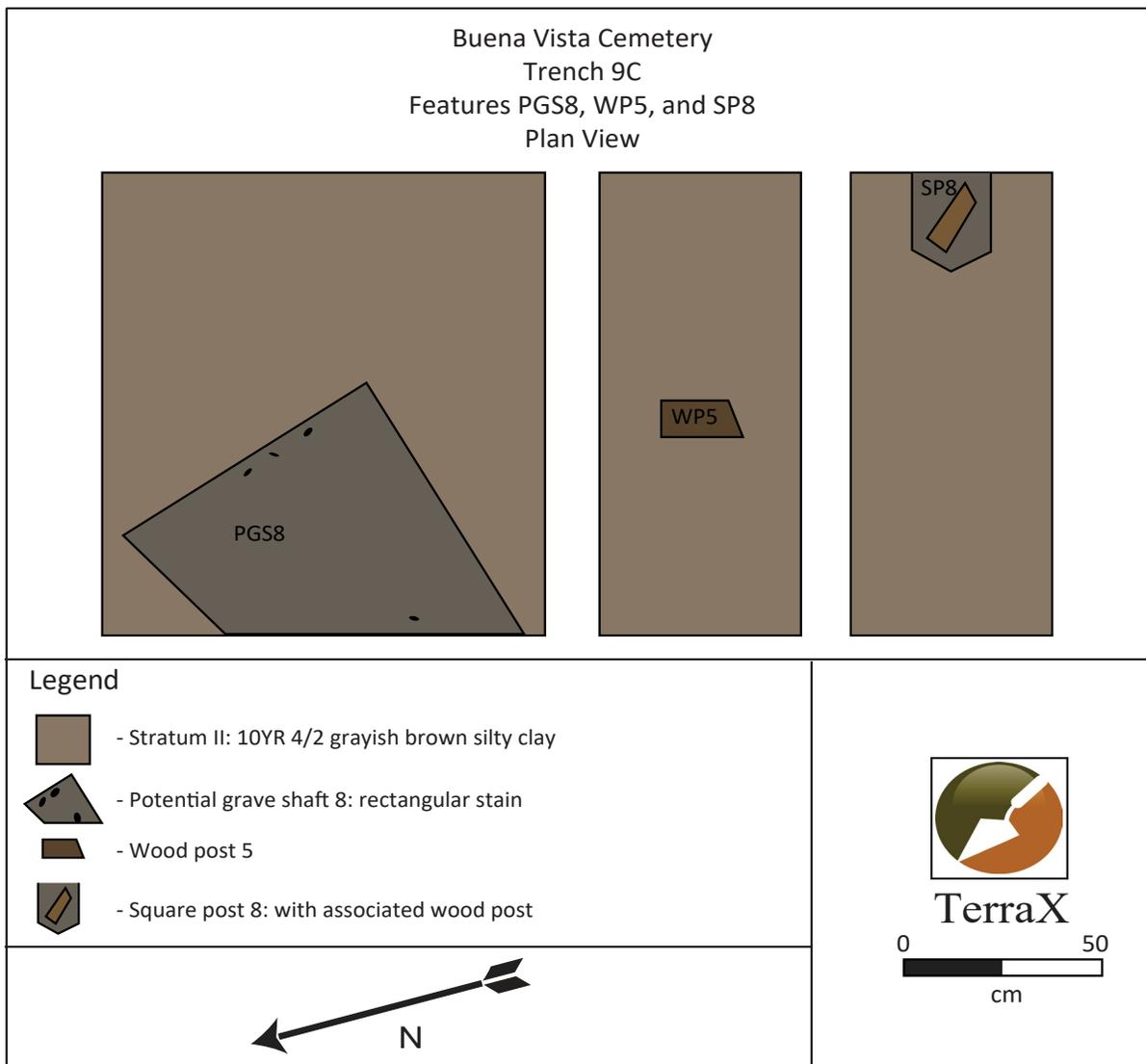


Figure 6.16. Trench 9, feature plan views.

with some burnt wood fragments. After recordation, metal spikes were placed at the corners of the feature and the stain was covered with plastic and soil.

WOOD POST 5. The second feature identified in Trench 9 was located 52.5 m from the northeastern end and 50 cmbs. The feature was a burnt wooden post laying at the bottom of the trench measuring 20-x-10 cm (see Figure 6.16). No stain was associated with the post, so it was probably moved during earlier agricultural work at the location. The original location of the post is unknown. The wood was poorly preserved as it had been burnt and was wet from the high water table.

SQUARE POST 8. The third feature in this trench was located 66.2 m from the northeastern end and 48 cmbs. The feature was a square shaped stain extending from the southeast wall and had a wood post laying in the center of it (see Figure 6.16). The wood was poorly preserved, but still visible. The soil was composed of dark gray (10YR 4/1) silty clay.

The soil profile included two strata. The upper plowzone was contained to approximately 10 cm in thickness but the associated furrows extended to 1.5 ft. in depth. The soil remained relatively dry until excavating past 2-ft. at which point water began to flow through the trench. The wood preservation was excellent.

Stratum I consisted of dark grayish brown (10YR 4/2) clay loam mottled with strong brown (10YR 5/8) and extended from 10-40 cmdbd. Stratum II was exposed at 38 cmdbd, extended to the floor at 60 cmdbd, and consisted of yellowish brown (10YR 5/6) silty clay.

<i>Trench 9 B</i>			<i>Bag: 6</i>
Artifact Type	Count	Weight (g)	Accession #
undecorated large sewer pipe fragment	1	855.0	2019.11830
unspecified medium to large mammal bone [3=1]	2	13.5	2019.11831
Location Totals	3	868.5	

TRENCHES 5A-9A. Trenches 5A through 9A were all excavated north of the fence and measured 15 m in length (see Figure 6.2). They had a typical soil profile with two strata; while the upper plowzone was contained to approximately 10 cm in thickness but the associated furrows extended 1-foot to 1.5 ft. in depth. The soil in these trenches remained damp even after several days without rain. This portion of the investigated area was slightly lower than other areas and appeared to hold water. Despite this, monitoring of excavations was able to distinguish subtle changes in the soil color; until excavating past 2-ft., at which point water began to flow through the trench. No features were located during the excavation of these trenches and no artifacts were recovered. It is apparent these trenches fall outside the cemetery boundaries.

TRENCHES 5B AND 9B. Trenches 5B and 9B were excavated between the fence and field road and measured 15 and 11.3 m in length, respectively (see Figure 6.2). They had a typical soil profile with two strata and like the other trenches contained approximately 10 cm of plowzone and further disturbance from furrows extending 1-foot to 1.5 ft. in depth. The soil remained relatively dry until excavating past 2-ft. at which point water began to seep into the trench. No features were located in either trench and no artifacts were recovered from 9B. Trench 5B had several non-human bones recovered (including one horse proximal phalanx and one small mammal phalanx) (Appendix B).

SITE 16SJ118 - ACADIA CEMETERY

Archaeological investigations of Site 16SJ118, the Acadia Cemetery proposed location, consisted of eight trenches in total, including the seven required trench locations (see Appendix A, Burial Permit) plus one additional trench in order to completely survey the northwestern quadrant of the area. Depth of the trenches ranged from 60-100 cm. Trenching took place in previous sugar cane fields or adjacent to the retention ponds and field road (Figure 6.17). The fields are made up of a mounded linear strip of dirt, in which the sugar cane is actually planted and two furrowed areas are dug of either side, to drain water from the roots. Because of this planting style the depth of impact averaged around 1.5 ft. deep. Everything above this was turned and mixed. This area appeared to be slightly higher than the Buena Vista cemetery location, because despite the rain (in the days before the investigation), the water level in the trenches occurred much deeper than the previous cemetery. Water began to seep up through the floor at about 2.5 to 3 ft. deep. Consequently, it was much easier to see subtle color changes in the soil and examine the clay below the plowzone without fear of the encroaching water. Despite this advantage no features or artifacts were located within the survey area.

TRENCH 1. Trench 1, running northeast-southwest, was placed partially in the cemetery boundaries to the southeast of the main field road and canal (Figure 6.18). The GPS coordinates for the northeastern end and southwestern end of Trench 1 read: E700432, N3326704 and E700406, N3326670 respectively, making the trench 42.7 m in length. The mechanical excavator removed the topsoil, which was approximately 10 cm in thickness, and then proceeded to scrape thin layers of soil (2 and 5 cm thick) while archaeologist monitored the activities. No features were noted during excavation.



Figure 6.17. Photo of Trench 3 in the Acadia Cemetery, facing southwest.

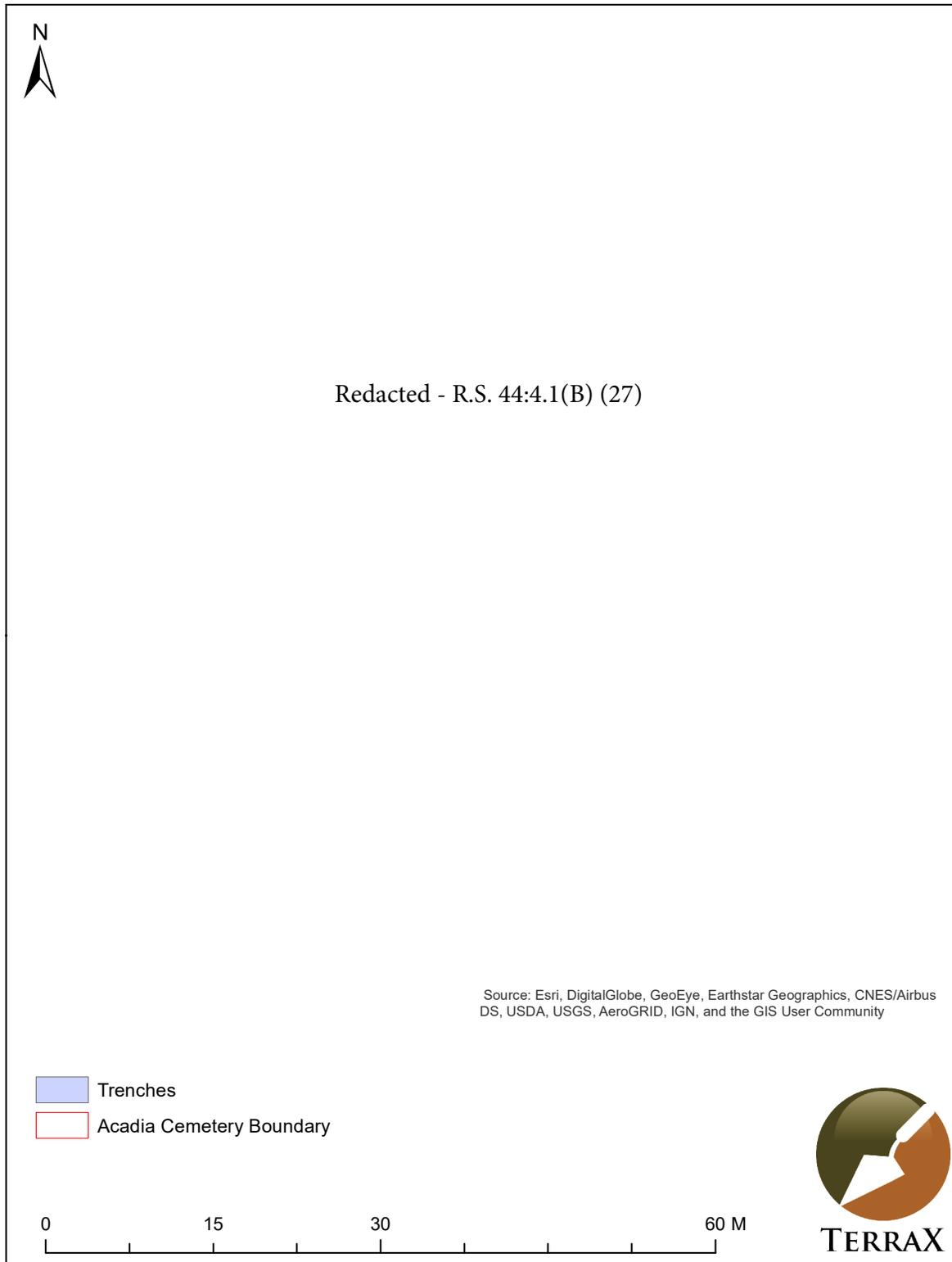


Figure 6.18. Aerial map of the Acadia Cemetery with excavated trenches.

The soil profile included two distinct strata. The upper 10 cm made up the plowzone but there were no current furrows in this area of the field.

Stratum I consisted of grayish brown (10YR 5/2) silty clay and extended from 10-40 cmbd. Stratum II was exposed at 39 cmbd, extended to 45 cmbd, and consisted of light brown (7.5YR 6/3) sandy clay.

TRENCH 2. Trench 2, running northeast-southwest, was placed on the southwest side of the main field road and the canal within the northwest quadrant of the cemetery (see Figure 6.18). The GPS coordinates for the northeastern and southwestern ends of Trench 2 read: E700418, N3326717 and E700379, N3326662 respectively, making this portion of the trench 67.6 m in length. The excavator removed the topsoil that was approximately 10 cm and then proceeded to scrape thin layers of soil between 2 and 5 cm thick. No features were noted during the excavation

The soil profile included three distinct strata. The plowzone consisted of approximately the upper 10 cm of soil. Furrows extended to a foot to 1.5 ft. in depth throughout the trench.

Stratum I consisted of dark grayish brown (10YR 4/2) silty clay loam and extended from 10-60 cmbd. Stratum II was exposed at 50 cmbd, extended to 70 cmbd, and consisted of grayish brown (10YR 5/2) silty clay. Stratum III was exposed at 65 cmbd and extended to 90 cmbd. The soil was composed of brown (7.5YR 5/3) sandy clay mottled with iron concretions.

TRENCH 3. Trench 3, running northeast-southwest, was placed on the northwest side of Trench 2, within the northwest quadrant of the cemetery boundaries (see Figure 6.18). The GPS coordinates for the northeastern and southwestern ends of Trench 3 read: E700412, N3326721 and E700373, N3326666 respectively, making this portion of the trench 67.2 m in length. The excavator removed the topsoil that was approximately 10 cm and then proceeded to scrape thin layers of soil between 2 and 5 cm thick. Two portions of the trench were expanded due to a soil changes that required further examination, but it was determined the changes were subtle lenses from previous flooding events, not cultural or man-made features.

The soil profile included two strata and a lens. Again, the upper plowzone was contained to approximately 10 cm in thickness but the associated furrows extended 1-foot to 1.5 ft. in depth.

Stratum I consisted of dark gray (10YR 4/1) silty clay loam and extended from 10-43 cmbd. Stratum II was exposed at 35 cmbd, extended to 85 cmbd, and consisted of grayish brown (10YR 5/2) silty clay. The lens appeared in Stratum II and consisted of light brown (7.5YR 6/3) sandy clay mottled with iron concretions.

TRENCH 4. Trench 4, running northeast-southwest, was placed on the southeast side of Trench 3 outside of the cemetery (see Figure 6.18). The GPS coordinates for the northeastern and southwestern ends of Trench 4 read: E700404, N3326725 and E700366, N3226675 respectively, making this portion of the trench 62.9 m in length. The excavator removed the topsoil that was approximately 10 cm and then proceeded to scrape thin layers of soil between 2 and 5 cm thick. No features were encountered within the trench.

The soil profile included three distinct strata (Figure 6.19). The plowzone consisted of approximately the upper 10 cm of soil. Furrows extended to a foot to 1.5 ft. in depth throughout the trench.

Stratum I consisted of dark grayish brown (10YR 4/2) silty clay loam and extended from 5-40 cmbd. Stratum II was exposed at 37 cmbd, extended to 65 cmbd, and consisted of brown (10YR 5/3) sandy clay. Stratum III was exposed at 55 cmbd and extended to 70 cmbd. The soil was composed of yellowish brown (10YR 5/4) silty clay.

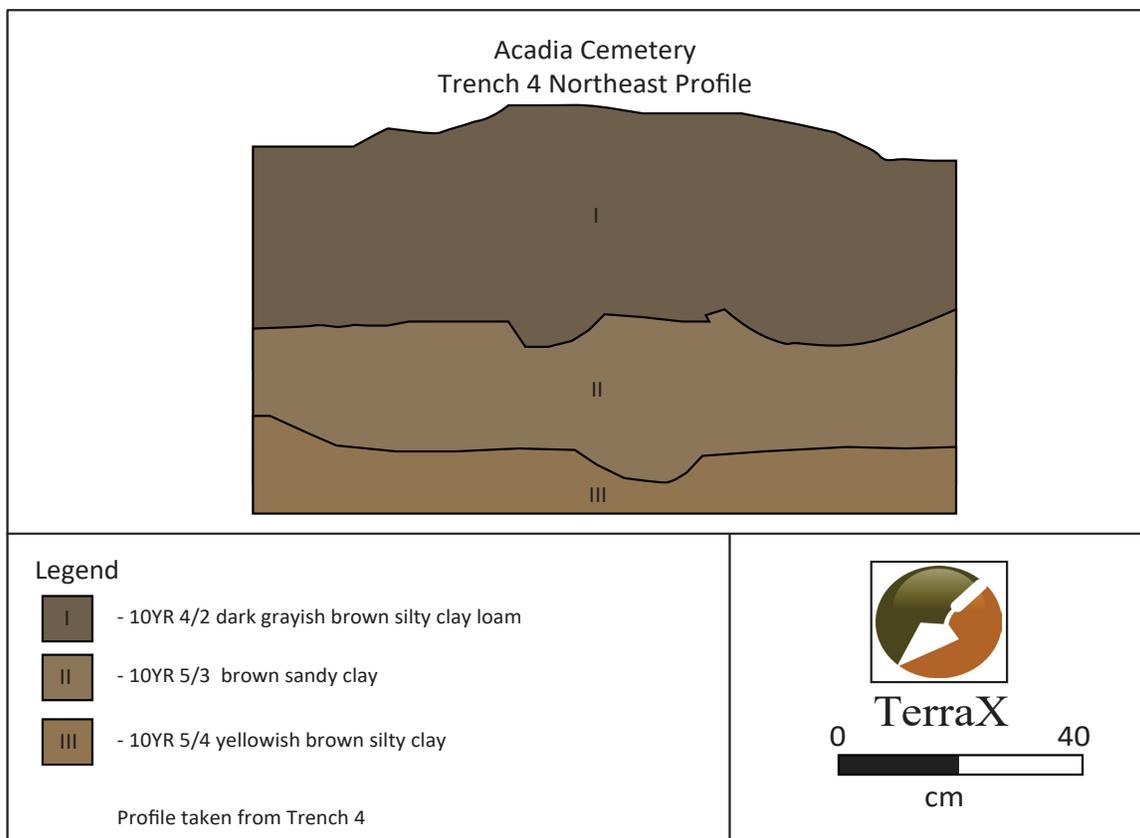


Figure 6.19. Trench 4, profile.

TRENCHES 5-8. Trench 5 to 8 were very small excavation areas placed between Trenches 2 and 3 running northwest to southeast (see Figure 6.18). These trenches were all approximately 9 m in length and varied 80-100 cm in depth and revealed no features. Soil profiles were similar to that of Trenches 2 and 3.

The cemetery had been previously surveyed by TerraX in the Fall of 2018; though the location was slightly to the northeast. The results then had been negative for burials and associated artifacts or features. It was later realized the topographic map used to locate the cemetery had an error, which placed the cemetery boundaries roughly 300 ft. northeast of the actual proposed location. When the new, accurate area, was examined under this investigation, the results were again negative for burials and associated artifacts or features. It appears that, if the cemetery ever existed and was ever actually used, it and any human occupants, were destroyed by the previous borrow pits and retention pond construction. Any remaining evidence, small bone and coffin hardware fragments, could have been further scattered or destroyed by previous and recent agriculture. There is also the possibility the cemetery was intended to be used and an area had been cordoned off in the plantation but never actually used.

CHAPTER 7 SUMMARY AND RECOMMENDATIONS

TerraX was contracted by Providence Engineering and Environmental Group LLC to conduct archaeological monitoring and mechanical stripping of the Acadia and Buena Vista Cemeteries located on FG LA LLC property in St. James Parish, Louisiana in order to determine whether burials were present. Initial evidence of the cemetery appeared on the 1878 Mississippi River map of the area, and later historic aerials suggested the locations remained for some time. However, since after 1961, the locations appeared to have been covered by agricultural fields. In addition, both locations have been impacted by field road and canal construction, maintenance, and use. The Acadia Cemetery location was further disturbed by the excavation of several borrow pits and retention ponds.

Past archaeological surveys of the project area did not encounter the cemetery's cultural materials, nor any other evidence relating to a cemetery. The current archaeological investigation took place between May 13 to 23, 2019 and found no human remains, grave shafts, or artifacts associated with burials at Site 16SJ118, the Acadia Cemetery. It seems apparent, if the location was ever actually used as a cemetery, any physical evidence of this, including human remains and coffin materials, have been destroyed by the multitude of ground disturbances at the location. Previous and current trenching in and around the proposed location of the cemetery demonstrated that no evidence of the cemetery remains. TerraX does not recommend that any further archaeological testing or excavation in this area be necessary.

Excavations at Site 16SJ119, the Buena Vista Cemetery, found four confirmed human burials, many potential grave shafts, historic posts, and a large scatter of cultural material. Based on the trenching, TerraX defined the cemetery as being 82.65 m (271.16 ft.) in length and 69.95 m (229.49 ft.) in width (Figure 7.1). The primary location of the cemetery is just south of an east-northeast to west-southwest running field road and on both sides of another northeast-southwest trending field road. The property extends approximately 20 m west of the second field road and extends off of FG LA LLC property onto the adjacent land owner to the east.

Based on the archival research and field excavations, the cemetery appears to be utilized in the nineteenth to early twentieth century. The absence of verifiable indications (headstones or through archival research) of who was buried in the cemetery leads us to believe it could have been a slave cemetery associated with the Buena Vista Plantation. Disturbances at this location are significant and include previous agriculture, field and canal construction, maintenance, and use, and pipeline construction (the UCAR pipeline runs directly through the long axis of the cemetery). Despite these impacts, numerous intact burials and grave shafts indicate much of the cemetery remains intact, particularly below 1.5 ft. Faunal remains were also located within the trenches, but none were associated with potential features and were generally located at shallower depths than the human remains.

If possible, the area should be avoided from any and all ground disturbance activities. A protective fence should be constructed along the borders of the cemetery. A fence line should not be necessary along the adjacent property boundary and a gap in the fence will be necessary where the UCAR pipeline runs through the cemetery (Appendix D). However, if avoidance is not possible, steps to record, remove, and rebury the human remains to a new location should take place. If excavation of the cemetery is determined to be unavoidable, a scope of work for the excavation will need to be designed and approved by the Louisiana Division of Archaeology. Furthermore, a new Unmarked Human Burial Sites permit will be required. In addition to the fieldwork, a part of the permit would require any relatives of interments be contacted to determine the final new resting place for the burials.

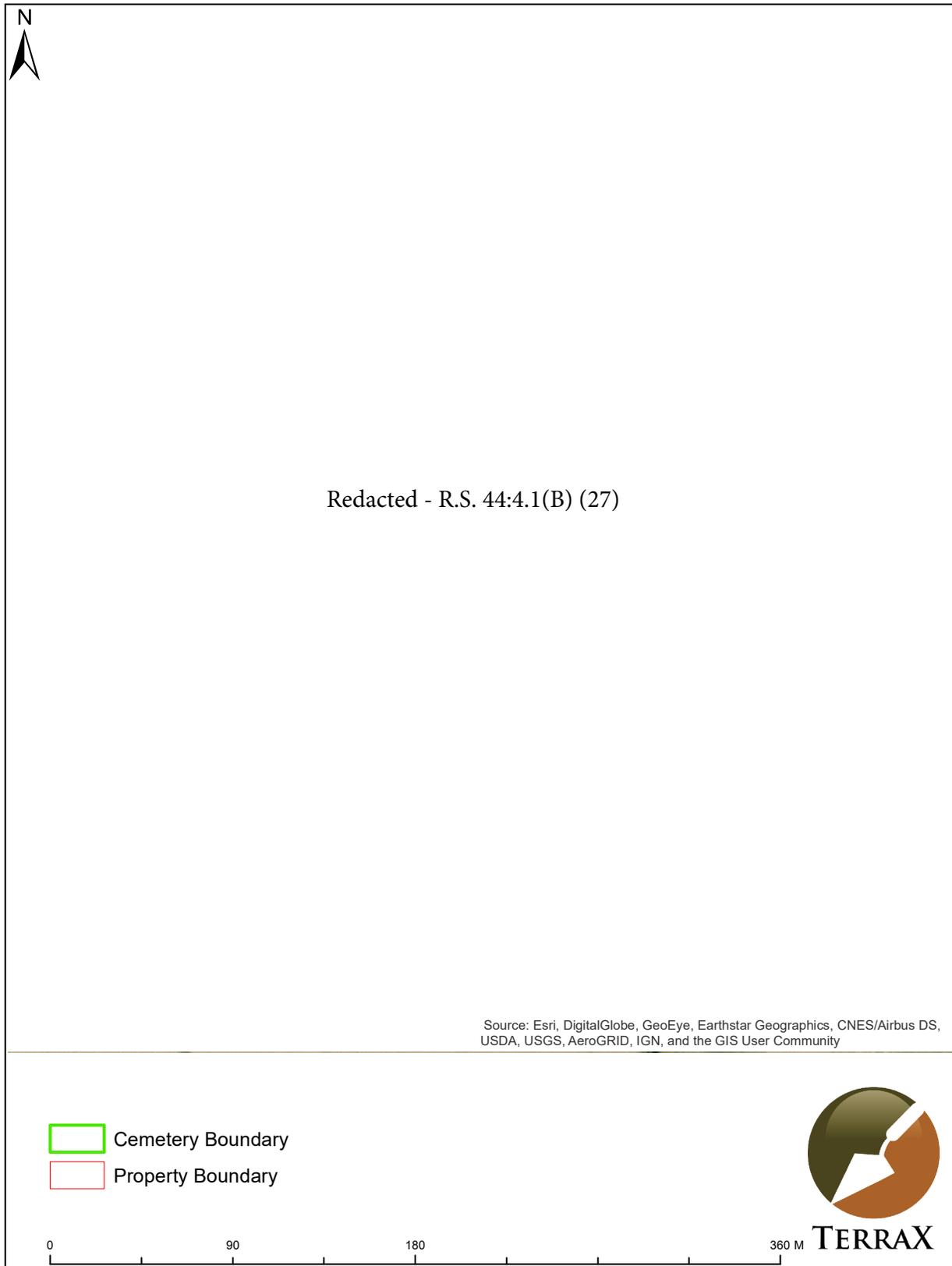


Figure 7.1. Newly defined limits of the Buena Vista Cemetery.

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APPENDIX A
UNMARKED HUMAN BURIAL SITES PERMITS

Department of Culture, Recreation and Tourism
Office of Cultural Development
Division of Archaeology
Unmarked Human Burial Sites Permit

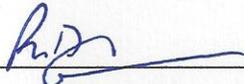
BE IT KNOWN, that on the 3rd day of May 2019, the Department of Culture, Recreation and Tourism, Office of Cultural Development, Division of Archaeology (hereinafter referred to as the "Division") issues a permit in accordance with § 676.C of the Louisiana Unmarked Human Burial Sites Preservation Act (R.S. 8:671 – 681) for the assessment of the location and preservation of the Acadia Cemetery to Mr. Paul Jackson of TerraXplorations Inc. This permit will allow for the stripping to determine cemetery boundaries, and the collection of any human remains and grave goods encountered during the excavation, as stipulated in the proposal (Addendum A), attached hereto and made a part hereof, submitted to the state on 24 April 2019, and reviewed prior to 3 May 2019, by the Division. The conditions of this permit are as follows:

1. The permit recipient is responsible for conducting the excavation in accordance with the attached Addendum A.
2. Any human remains, associated grave goods, coffin furniture and original headstones encountered in their original context shall be left in place and reburied. Any remains or other burial furniture discovered in disturbed contexts shall be retained by TerraXploration until their disposition is determined by all the parties.
3. Original or legible duplicate copies of all field notes, maps, drawings, plans, profiles, excavation forms, lab and analysis sheets, artifact catalogs, slides or digital images, photo logs, and other associated records shall be submitted with the final report to the Division.
4. Normally, a permit is granted for the period of one year from the date of issuance.
5. If the permit recipient fails to comply with the permit, fails to meet or ensure professional or occupational standards, or fails to conduct fieldwork properly, or to complete the project, the Division may revoke or suspend the permit upon giving notice to the permit recipient. In this event, the permit recipient shall cease work immediately and vacate the area or site within 24 hours, including removal of all personnel and equipment. The permit shall be returned to the Division within 15 days of the date on which the notice of revocation or suspension was received. The permit recipient shall have 30 days from the

date of cancellation of said permit to appeal in writing to the Division in order to show good cause why the permit should be reinstated.

6. The permit recipient will, after completion of the work, restore the land on which she has worked to its former condition, to the satisfaction of the Division or landowner.
7. The permit recipient is responsible for preparation of a written report describing in full the results of the investigation. The report will meet the standards of the Division. A draft of the report will be submitted to the Division for review one month prior to completion of the final report. The permit recipient will furnish the state with one bound copy and a pdf copy of the final report.
8. The permit recipient will adhere to all rules and regulations of the Division, as promulgated in the *Louisiana Register*, Volume 20, Number 4, April 20, 1994, and as outlined in the *Archaeological Code of Louisiana*.
9. No permit issued by the Division may be transferred in whole or in part to any other institute, museum, corporation, organization, or individual without the expressed written approval of the Division.
10. This permit goes into effect on 6 May 2019. The permit recipient will notify the Division when fieldwork will begin so a site inspection can be made by a staff member.

I, _____, do herein agree to abide by the conditions as stated above.


_____, 5-3-19
Paul Jackson (Principal Investigator) Date
TerraXplorations, Inc.

Janile Parks Date
Authorized Representative of FG LA LLC

WITNESS:

APPROVED:

Date

Charles R. McGimsey, Ph.D. Date
State Archaeologist

Department of Culture, Recreation and Tourism
Office of Cultural Development
Division of Archaeology
Unmarked Human Burial Sites Permit

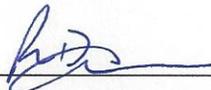
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1. The permit recipient is responsible for conducting the excavation in accordance with the attached Addendum A.
2. Any human remains, associated grave goods, coffin furniture and original headstones encountered in their original context shall be left in place and reburied. Any remains or other burial furniture discovered in disturbed contexts shall be retained by TerraXploration until their disposition is determined by all the parties.
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I, _____, do herein agree to abide by the conditions as stated above.


_____/ 5-3-19
Paul Jackson (Principal Investigator) Date
TerraXplorations, Inc.

_____/_____
Janile Parks Date
Authorized Representative of FG LA LLC

WITNESS:

APPROVED:

_____/_____
Date

_____/_____
Charles R. McGimsey, Ph.D. Date
State Archaeologist

APPENDIX B
ARTIFACT INVENTORY

Artifact Inventory List

<i>Site</i>	<i>Location</i>	<i>Type</i>	<i>Count</i>	<i>Weight (g)</i>	<i>Accession #</i>
BVC - 16SJ119					
	<i>Trench 1 B/0-60 CMBS</i>				<i>Bag: 1</i>
		ferrous metal bar fragment	228		2019.11802
		ferrous metal wire[2=1]	2	0.5	2019.11801
		Location Totals	230	0.5	
	<i>Trench 2 A</i>				<i>Bag: 2</i>
		medium to large mammal long bone epiphysis fragment	2	79.7	2019.11804
		medium to large mammal long bone shaft fragment	3	11.6	2019.11803
		medium to large mammal unspecified bone fragment	1	9.2	2019.11805
		Location Totals	6	100.5	
	<i>Trench 5 B/60 CMBS</i>				<i>Bag: 3</i>
		horse proximal phylange	1	113.5	2019.11806
		small mammal phlange (crushed) [10=1]	1	0.1	2019.11807
		Location Totals	2	113.6	
	<i>Trench 3 B/0-60 CMBS</i>				<i>Bag: 4</i>
		ferrous metal hexagonal nut	1	55.4	2019.11814
		ferrous metal machine-cut nail fragment	1	5.0	2019.11811
		ferrous metal spike	2	252.9	2019.11812
		ferrous metal square bolt	1	105.1	2019.11813
		ferrous metal wire nail	3	55.8	2019.11809
		ferrous metal wire nail fragment	3	8.0	2019.11810
		glass (amber container)	1	2.5	2019.11808
		large mammal tooth	1	46.6	2019.11817
		small to medium mammal epiphysis	2	3.7	2019.11818
		small to medium mammal long bone shaft fragment	4	8.8	2019.11819
		undifferentiated brick fragment	1	25.1	2019.11816
		undifferentiated ferrous metal	1	10.2	2019.11815
		Location Totals	21	579.1	
	<i>Trench 5 C/30-60 CMBS</i>				<i>Bag: 5</i>
		ferrous metal barbed wire fragment	1	5.0	2019.11824
		ferrous metal container lid with steel mesh, with charcoal and aluminum fragments	1	87.5	2019.11826
		ferrous metal machine-cut nail fragment	3	15.1	2019.11822
		ferrous metal spike	1	63.8	2019.11825
		ferrous metal wire	4	3.4	2019.11823
		ferrous metal wire nail	4	67.4	2019.11820
		ferrous metal wire nail fragment	2	4.3	2019.11821
		large mammal tooth	1	12.8	2019.11829
		medium mammal long bone shaft fragment	1	1.6	2019.11828
		unspecified epiphysis bone fragment	1	28.3	2019.11827
		Location Totals	19	289.2	
	<i>Trench 9 B</i>				<i>Bag: 6</i>
		undecorated large sewer pipe fragment	1	855.0	2019.11830
		unspecified medium to large mammal bone [3=1]	2	13.5	2019.11831
		Location Totals	3	868.5	

<i>Site</i>	<i>Location</i>	<i>Type</i>	<i>Count</i>	<i>Weight (g)</i>	<i>Accession #</i>
	<i>Surface/0 CMBS</i>				<i>Bag: 7</i>
		glass (olive green base)	1	21.2	2019.11832
		glass (olive green patinated base)	1	8.0	2019.11833
		undifferentiated brick fragment with mortar	2	15.1	2019.11834
		Location Totals	4	44.3	
	<i>Burial 1 Trench 5/56 CMBS</i>				<i>Bag: 8</i>
		ferrous metal machine-cut nail fragment	1	6.4	2019.11835
		wood fragment [2=1] , [2=1]	2	0.1	2019.11836
		Location Totals	6	10.0	
Site Totals			288	2002.2	
Project Totals			288	2002.2	

APPENDIX C
CURATION AGREEMENT

TROY UNIVERSITY



**Archaeological
Research Center**

Date: November 9, 2018

Paul Jackson

TerraXplorations
3523 18th Ave NE
Tuscaloosa, Alabama 35406

Dear Paul,

As per your request, this letter is to confirm our standing agreement with you to provide curation services to Terra Explorations on an as-needed basis. As you know, we are recognized by a variety of Federal agencies as a repository meeting the standards in 36 CFR Part 79 and have formal agreements to provide curation under these guidelines to multiple federal agencies such as the Army National Guard and Natural Resources Conservation Service.

Please be advised that once a year we must be notified of all reports in which we were named as the repository. Project collections must be submitted within one calendar year of completion. Small projects may be complied for periodic submission. The AHC survey policy specifies which materials must be curated (Administrative Code of Alabama, Chapter 460-X-9). Renewal of this agreement is contingent upon compliance.

We appreciate this opportunity to be of assistance and look forward to working with you in the future.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Jason Mann', with a long horizontal line extending to the right.

Jason Mann
Director
Archeological Research Center
Troy University

APPENDIX D
FENCING PLAN

Fencing Plan – Additional Notes
Buena Vista Cemetery, St. James Parish, Louisiana
In Support of:
US Army Corps of Engineers Permit Application Number MVN-2018-00159 CM
June 14, 2019

Background.

To protect sensitive cultural resource features at the Buena Vista Cemetery in St. James Parish, and in support of U.S. Army Corps of Engineers, New Orleans District Section 10/404 Permit Application MVN-2018-00159, FG LA LLC (FG) proposes to exclude the Buena Vista Cemetery by constructing a fence to prevent disturbance thereto resulting from construction of the Sunshine Project. Details are shown on the attached figures.

Scope.

Prior to construction, a civil survey should be conducted to determine the cemetery boundary and the UCAR Pipeline right-of-way (ROW). Coordination with UCAR representatives regarding work adjacent to their ROW will be required prior to field staking the fence alignment as well as subsequent fence construction. The fence configuration will be C-shaped with the eastern fence line ending at the UCAR Pipeline right-of-way. The area immediately east of the UCAR Pipeline ROW is owned by others with the exception of a narrow strip of land. Therefore, a short section of fence on the southeast corner will be installed.

FG intends to use fencing material (where appropriate) from the previously installed fence immediately north of the current cemetery location. Approximately 648 linear feet of fence is to be constructed. Eight-foot-tall fence posts will be set in concrete at ten-foot intervals and eight-foot tall chain link will be installed. Forty-five-degree angle extension arms will be affixed to each pole. A three-strand barbed wire fence will be installed between the top fence rail and the top of each extension arm. A gate is to be installed to allow access for maintenance and future mitigation of the site.



Redacted - R.S. 44:4.1(B) (27)

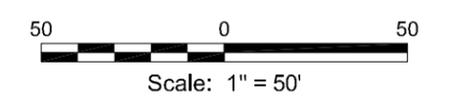


Legend

- Property Boundary
- x- Proposed Fence

Reference

Base map comprised of Google Earth imagery dated 01/23/19, exported 06/11/19.



Fence Layout

Cemetery Fencing Plan
Welcome, St. James Parish, Louisiana

FG LA LLC
Proposed St. James Facility



Drawn By	CMM	06/14/19
Checked By	RPC	06/14/19
Approved By	RPC	06/14/19
Project Number		2 Figure
140-019		
Drawing Number		
140-019-B020		

ATTACHMENT E

Department of Culture, Recreation and Tourism
Office of Cultural Development
Division of Archaeology
Unmarked Human Burial Sites Permit

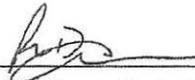
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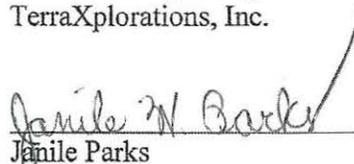
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I, _____, do herein agree to abide by the conditions as stated above.



Paul Jackson (Principal Investigator) Date
TerraXplorations, Inc. 5-3-19



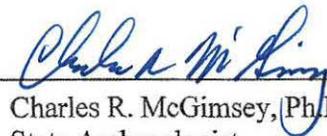
Janile Parks Date
Authorized Representative of FG LA LLC 5-10-19

WITNESS:

APPROVED:



Date 5/10/2019



Charles R. McGimsey, Ph.D. Date
State Archaeologist 10 May 2019

Department of Culture, Recreation and Tourism
Office of Cultural Development
Division of Archaeology
Unmarked Human Burial Sites Permit

BE IT KNOWN, that on the 3rd day of May 2019, the Department of Culture, Recreation and Tourism, Office of Cultural Development, Division of Archaeology (hereinafter referred to as the "Division") issues a permit in accordance with § 676.C of the Louisiana Unmarked Human Burial Sites Preservation Act (R.S. 8:671 – 681) for the assessment of the location and preservation of the Acadia Cemetery to Mr. Paul Jackson of TerraXplorations Inc. This permit will allow for the stripping to determine cemetery boundaries, and the collection of any human remains and grave goods encountered during the excavation, as stipulated in the proposal (Addendum A), attached hereto and made a part hereof, submitted to the state on 24 April 2019, and reviewed prior to 3 May 2019, by the Division. The conditions of this permit are as follows:

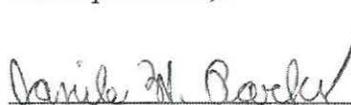
1. The permit recipient is responsible for conducting the excavation in accordance with the attached Addendum A.
2. Any human remains, associated grave goods, coffin furniture and original headstones encountered in their original context shall be left in place and reburied. Any remains or other burial furniture discovered in disturbed contexts shall be retained by TerraXploration until their disposition is determined by all the parties.
3. Original or legible duplicate copies of all field notes, maps, drawings, plans, profiles, excavation forms, lab and analysis sheets, artifact catalogs, slides or digital images, photo logs, and other associated records shall be submitted with the final report to the Division.
4. Normally, a permit is granted for the period of one year from the date of issuance.
5. If the permit recipient fails to comply with the permit, fails to meet or ensure professional or occupational standards, or fails to conduct fieldwork properly, or to complete the project, the Division may revoke or suspend the permit upon giving notice to the permit recipient. In this event, the permit recipient shall cease work immediately and vacate the area or site within 24 hours, including removal of all personnel and equipment. The permit shall be returned to the Division within 15 days of the date on which the notice of revocation or suspension was received. The permit recipient shall have 30 days from the

date of cancellation of said permit to appeal in writing to the Division in order to show good cause why the permit should be reinstated.

6. The permit recipient will, after completion of the work, restore the land on which she has worked to its former condition, to the satisfaction of the Division or landowner.
7. The permit recipient is responsible for preparation of a written report describing in full the results of the investigation. The report will meet the standards of the Division. A draft of the report will be submitted to the Division for review one month prior to completion of the final report. The permit recipient will furnish the state with one bound copy and a pdf copy of the final report.
8. The permit recipient will adhere to all rules and regulations of the Division, as promulgated in the *Louisiana Register*, Volume 20, Number 4, April 20, 1994, and as outlined in the *Archaeological Code of Louisiana*.
9. No permit issued by the Division may be transferred in whole or in part to any other institute, museum, corporation, organization, or individual without the expressed written approval of the Division.
10. This permit goes into effect on 6 May 2019. The permit recipient will notify the Division when fieldwork will begin so a site inspection can be made by a staff member.

I, _____, do herein agree to abide by the conditions as stated above.

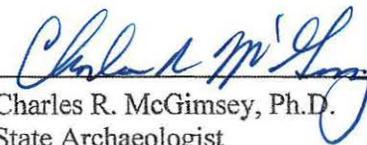

_____, 5-3-19
Paul Jackson (Principal Investigator) Date
TerraXplorations, Inc.


_____, 5-10-19
Janile Parks Date
Authorized Representative of FG LA LLC

WITNESS:

APPROVED:


_____, 5/10/2019
Date



Charles R. McGimsey, Ph.D.
State Archaeologist

_____, 10 May 2019
Date