



FEMA

July 27, 2009

U.S. Fish & Wildlife Service
Panama City Field Office
Attention: Ms. Gail Carmody
1601 Balboa Avenue
Panama City, FL 32405-3721

**RE: Request for Project Review, FEMA Public Assistance Grant Program
Project Worksheet Number: FL-DR-1551, PW 3817
City of Gulf Breeze Construction of New Wastewater Treatment Plant**

Dear Ms. Carmody:

The Federal Emergency Management Agency (FEMA), under the Public Assistance (PA) Grant Program, is considering funding the construction of a waste water treatment plant (WWTP) for the City of Gulf Breeze/South Santa Rosa Utility System. The City currently owns and operates the Tiger Point WWTP located on U.S. Highway 98 in southern Santa Rosa County (Latitude 30°22'47.05"N and Longitude 87°5'7.24"W). The current Tiger Point WWTP is presently operating at approximately 70 percent of its capacity of 1.92 MGD. Master planning of the service area indicates the overall need to treat up to 5.0 MGD of wastewater at area build-out. The 2006 Capacity Analysis Report the utility will surpass capacity between 2013 and 2017.

The City of Gulf Breeze is proposing to construct a South Santa Rosa Eastern Wastewater Treatment Facility is located at 5930 Clay Circle Road, Gulf Breeze, FL 32563. This is approximately 1.5 miles north of US Highway 98 off Bergren Road in Township 2 South, Range 27 West, the southeast quarter of Section 17 (Latitude 30°24'51.48"N and Longitude 86°58'25.24"W). A U.S.G.S. topographic map is attached which provides a project location map. In addition, the project will require new sewers; these sewers will be constructed within existing road right-of-way. An exhibit indicating the route of this sewer line is also attached.

Through the PA Program, FEMA provides supplemental federal grant assistance for disaster relief expenditures, including the repair, replacement, or restoration of disaster-damaged, publicly owned facilities. Pursuant to the Endangered Species Act (ESA) of 1973, as amended, and the Fish and Wildlife Coordination Act, FEMA is hereby requesting informal consultation for the above-referenced project, as applicable.

FEMA is in the process of developing an Environmental Assessment (EA) under the National Environmental Policy Act (NEPA). At this time, no significant environmental impacts have been

identified. A copy of the Draft Environmental Assessment currently under development will be provided to your office for review upon its completion.

As part of the EA preparation, the City of Gulf Breeze contracted Bosso, Dentzau, Imhof, Inc. (BDI) to assess the 45-acre property proposed for the new WWTP for the purpose of identifying the presence of plants and wildlife listed as endangered, threatened, or species of special concern (listed species). A copy of the final BDI report can be provided to you upon request. The BDI assessment identified two state listed species on the proposed WWTP property; the white top pitcher plant (*Sarracenia leucophylla*) (State Endangered) and Curtis sand reed grass (*Calamovilfa curtissii*) (State-threatened), are located on the property. These species are located along the western site limits, outside of the project footprint. A 25-foot building set back from the perimeter of the property is required by County ordinance. BDI determined that this 25-foot setback would provide adequate long term protection for these species.

No other listed species were encountered during the BDI assessment. No federally regulated species have been identified in the project vicinity. The BDI report indicates there is limited potential for other species to be present in the proposed project area.

As a condition of FEMA funding, the Applicant will be required to obtain all applicable federal, state, and local permits for the construction and operation of the WWTP, and will comply with the conditions set forth in each. Based on the information provided by BDI, and in accordance with Section 7 of the ESA and its implementing regulations through 50 CFR Part 402, FEMA has determined that this project will have **no effect** on threatened or endangered species or their designated critical habitats.

This letter is for the purposes of notifying U.S. Fish & Wildlife Service of the proposed project and to provide you with the opportunity to comment. Written concurrence with FEMA's no effect determination is not requested. If you have comments, you may contact Richard.Myers@dhs.gov. If you should have any questions regarding this project, please do not hesitate to contact me via telephone at (407) 268-8812.

Sincerely,



Richard Myers
Environmental Liaison Officer

Enclosures: Project Location Maps

Cc: Mr. Ric Delp, City of Gulf Breeze
Public Assistance file



INNOVATIVE INFRASTRUCTURE SOLUTIONS

April 8, 2009

Mr. David Bernhart
Division Chief
Protected Resource Division
National Marine Fisheries Service
263 13th Avenue South
St. Petersburg, Florida 33701

RE: BDI Project No.: 20442.09 – South Santa Rosa Utility System

Dear Mr. Bernhart:

I am writing on behalf of the South Santa Rosa Utility System (SSRUS). In response to the devastation caused by Hurricane Ivan that occurred on September 15, 2004. Disaster Declaration FEMA-1551-DR-FL was declared for 41 counties in Florida, including Santa Rosa County. As part of the disaster recovery effort, the City of Gulf Breeze and the SSRUS is proposing to use FEMA funding provided for damages to community resources for construction activities related to the development of its Eastern Wastewater Treatment Facility. Baskerville-Donovan, Inc., is in the process of performing an Environmental Assessment per the National Environmental Policy Act for this project. We are hereby requesting your input.

Enclosed is a location map showing the Gulf Breeze Peninsula of Santa Rosa County (Figure 1) and a portion of a the Holley U.S.G.S. Topographic Quadrangle map (Figure 2) for your review. The map has been marked with the proposed location of the Eastern WWTF, on a parcel otherwise known as the "Frech Tract".

Pursuant to the Endangered Species Act, we are hereby requesting informal consultation with the Protected Resource Division of the National Marine Fisheries Service on the potential for the presence of any listed threatened or endangered species, or any candidates for listing, in the affected area.

Because of the time sensitive nature of this project, we would greatly appreciate a completion of your review as soon as possible. If you have any questions regarding this project, please do not hesitate to contact me.

Sincerely,

James E. Anderson
Project Engineer
janderson@baskervilledonovan.com

K:\204 Gulf Breeze and SSRUS\20442.09\Correspondence\Correspondence\Natl Marine Fisheries Service Notification 4-8-2009.doc

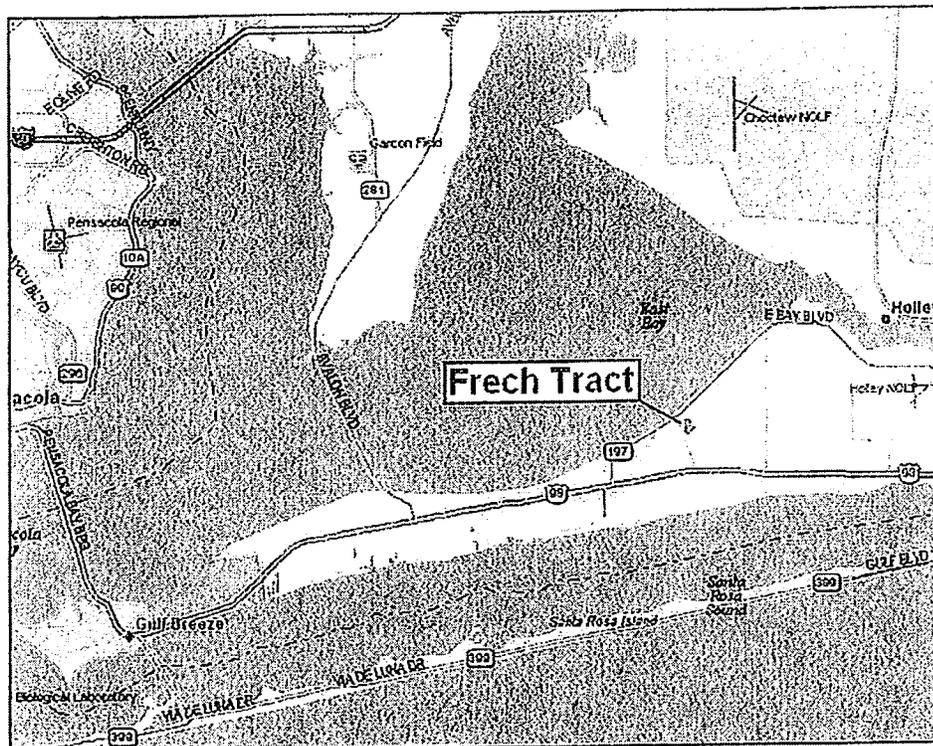


Figure 1. Location of the Frech Tract.

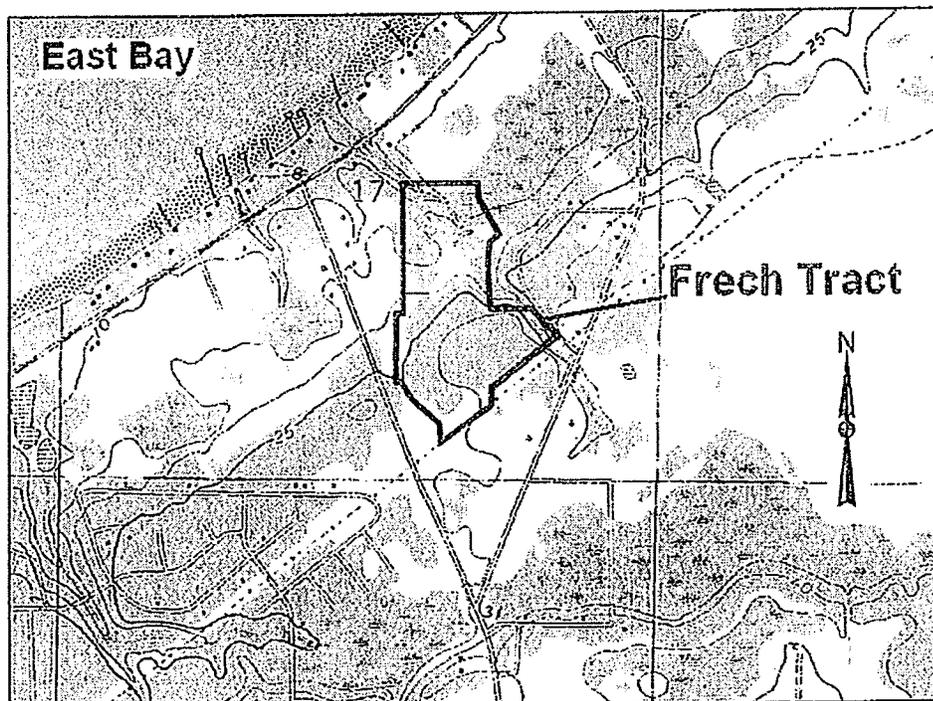


Figure 2. Detail from the Holly, Florida USGS 7.5' Topographic Quadrangle showing topographic and drainage features associated with the Frech Tract.

Jim Anderson

From: Teletha Mincey [Teletha.Mincey@noaa.gov]
Sent: Monday, April 13, 2009 1:15 PM
To: Jim Anderson
Cc: Eric Hawk
Subject: BDI Project No. 20442-09 - South Santa Rosa Utility System

Attachments: Florida Gulf.pdf



Florida Gulf.pdf (35
KB)

Hello Mr. Anderson,
Per your written request of April 8, 2009, referencing the above-mentioned subject,
attached is a species listing for the Florida - Gulf of Mexico area.



Endangered and Threatened Species and Critical Habitats
under the Jurisdiction of the NOAA Fisheries Service



Florida-Gulf

Listed Species	Scientific Name	Status	Date Listed
Marine Mammals			
blue whale	<i>Balaenoptera musculus</i>	Endangered	12/02/70
finback whale	<i>Balaenoptera physalus</i>	Endangered	12/02/70
humpback whale	<i>Megaptera novaeangliae</i>	Endangered	12/02/70
sei whale	<i>Balaenoptera borealis</i>	Endangered	12/02/70
sperm whale	<i>Physeter macrocephalus</i>	Endangered	12/02/70
Turtles			
green sea turtle	<i>Chelonia mydas</i>	Threatened ¹	07/28/78
hawksbill sea turtle	<i>Eretmochelys imbricata</i>	Endangered	06/02/70
Kemp's ridley sea turtle	<i>Lepidochelys kempii</i>	Endangered	12/02/70
leatherback sea turtle	<i>Dermochelys coriacea</i>	Endangered	06/02/70
loggerhead sea turtle	<i>Caretta caretta</i>	Threatened	07/28/78
Fish			
Gulf sturgeon	<i>Acipenser oxyrinchus desotoi</i>	Threatened	09/30/91
smalltooth sawfish	<i>Pristis pectinata</i>	Endangered	04/01/03
Invertebrates			
elkhorn coral	<i>Acropora palmata</i>	Threatened	5/9/06
staghorn coral	<i>Acropora cervicornis</i>	Threatened	5/9/06

Designated Critical Habitat

Gulf Sturgeon: A final rule designating Gulf sturgeon critical habitat was published on March 19, 2003 (68 FR 13370) and 14 geographic areas (units) among the Gulf of Mexico Rivers and tributaries were identified. Maps and details regarding the final rule can be found at alabama.fws.gov/gs

Elkhorn and Staghorn Corals: All waters in the depths of 98 ft (30 m) and shallower to the mean low water line surrounding the Dry Tortugas, Florida. Within these specific areas, the essential feature consists of natural consolidated hard substrate or dead coral skeleton that are free from fleshy or turf macroalgae cover and sediment cover. Maps and details regarding coral critical habitat can be found at:
<http://sero.nmfs.noaa.gov/pr/esa/acropora.htm>

¹ Green turtles are listed as threatened, except for breeding populations of green turtles in Florida and on the Pacific Coast of Mexico, which are listed as endangered.



Florida-Gulf

Proposed Critical Habitat

Smalltooth Sawfish: A proposed rule to designate smalltooth sawfish critical habitat was published on November 20, 2008 (73 FR 70290). Proposed critical habitat consists of two coastal habitat units: the Charlotte Harbor Estuary Unit and the Ten Thousand Islands/Everglades Unit. Maps and details regarding the proposed critical habitat rule can be found at: <http://sero.nmfs.noaa.gov/pr/SmalltoothSawfish.htm>

Species Proposed for Listing

None

Candidate Species ²	Scientific Name
None	

Species of Concern ³	Scientific Name
Fish	
Alabama shad	<i>Alosa alabamae</i>
dusky shark	<i>Carcharhinus obscurus</i>
largetooth sawfish	<i>Pristis pristis</i>
night shark	<i>Carcharhinus signatus</i>
saltmarsh topminnow	<i>Fundulus jenkinsi</i>
sand tiger shark	<i>Carcharias taurus</i>
speckled hind	<i>Epinephelus drummondhayi</i>
Warsaw grouper	<i>Epinephelus nigritus</i>
Invertebrates	
ivory bush coral	<i>Oculina varicosa</i>

² The Candidate Species List has been renamed the Species of Concern List. The term "candidate species" is limited to species that are the subject of a petition to list and for which NOAA Fisheries Service has determined that listing may be warranted (69 FR 19975).

³ Species of Concern are not protected under the Endangered Species Act, but concerns about their status indicate that they may warrant listing in the future. Federal agencies and the public are encouraged to consider these species during project planning so that future listings may be avoided.

U.S. Department of Homeland Security
Federal Emergency Management Agency
Florida Recovery Office
36 Skyline Drive
Lake Mary, Florida 32746



FEMA

May 13, 2009

Ms. Laura Kammerer
Division of Historical Resources
Deputy State Historic Preservation Officer
500 South Bronough Street
Tallahassee, FL 32399-0250

Re: Section 106 Consultation for City of Gulf Breeze, South Santa Rosa Utility System (SSRUS); Construction of the Eastern Wastewater Treatment Facility (WWTF), Santa Rosa County, Florida; Reference DHR No: 2007-4912 (2007-292); FEMA DR-1551, PW 3817.

Dear Ms. Kammerer,

The Federal Emergency Management Agency (FEMA) is proposing to provide eligible funding to the City of Gulf Breeze for the construction of a 1.5 MGD wastewater treatment facility. This grant will provide Section 406 Public Assistance (PA) funding under the provisions of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (P.L. 93-288, as amended). It is the statutory obligation of FEMA to fulfill the requirements of Section 106 of the National Historic Preservation Act (NHPA). In conformity to its statutory obligation, FEMA has determined that this project constitutes a federally assisted undertaking requiring a Section 106 review. FEMA has also, determined that the Area of Potential Effect for this undertaking is the individual facility and the immediate surrounding area. This determination is based on the authority granted under the Presidential Disaster Declaration FEMA-1551-DR-FL as amended for Hurricane Ivan.

Project Description:

The proposed 25-acre wastewater treatment facility (WWTF) will be built on a 42-acre parcel owned by the City and currently being used as a spray field for wastewater effluent disposal (Lat 30.414722 Long -86.97305). The facility would allow the City to accept effluent from Santa Rosa County and halt discharge into Pensacola Bay. The 25-acre facility would have influent screening and grit removal, equalization, aeration basin, secondary clarification, return activated sludge pumps station, filtration, chlorination, aerobic digestion of residuals, dewatering with centrifuge system, and a solid handling facility. Wet weather storage would be provided by a 9 million gallon on-site storage pond; reject storage would be provided by a 1.9 million gallon on-site storage tank. The project also includes a five to six acre holding pond that will provide water for re-use irrigation on residential and commercial properties in the immediate vicinity of the plant. The ponds will be excavated to a depth of approximately 7 feet below grade. The site has been disturbed by extensive logging, road construction, small stream improvements and installation of the existing spray field.

Historic and Archaeological Review:

The Eastern WWTF property was originally surveyed by Pensacola Archaeological Lab (PAL) in 1998. In 2007, the Florida State Historic Preservation Officer (SHPO) reviewed the survey and found it to be deficient (DHR No: 2007-4912 / 2007-292). In March of 2009, Panamerican Consultants Inc. (PCI) prepared a new archaeological report; *Archaeological and Historic Resurvey of the Frecht Tract*. It is my understanding that the City's consulting engineer, Baskerville-Donovan, Inc. (BDI) has provided your office with a copy of the new PCI report.

During the re-survey of the project area PCI discovered and documented two previously unrecorded prehistoric lithic scatter sites; 8SR1913 and 8SR1914. A FEMA historical specialist has reviewed this project, and in particular the two new archaeological sites identified in the survey.

Site 8SR1913 is described as a small, low-density scatter of prehistoric lithic artifacts situated on a slightly elevated terrace along the west side of an unnamed branch in the southeastern portion of the Frecht Tract. Initially, three (3) un-diagnostic lithic artifacts were recovered from a disturbed surface context. Subsequently, 10 shovel tests were excavated in the immediate adjacent area, but no additional artifacts were recovered. The site is clearly disturbed and does not possess substantial subsurface deposits, diagnostic artifacts, artifact concentrations or archaeological features.

Site 8SR1914 is described as a small, low-density scatter of prehistoric lithic artifacts situated on a slightly elevated terrace adjacent to a small, unnamed drainage in the southwestern portion of the Frecht Tract. Initially, two (2) un-diagnostic lithic artifacts were recovered from a disturbed surface context. Subsequently, 13 shovel tests were excavated in the immediate vicinity with a single piece of chert debitage recovered from a shallow sub-surface context. This site has suffered significant negative impacts from extensive logging, as well as more recent land use, and does not possess substantial subsurface deposits, diagnostic artifacts, artifact concentrations or archaeological features.

Previous Surveys:

Between 1996 and 2007 there have been six other cultural resource surveys in the vicinity of the proposed project. Five archaeological sites are recorded within 1 mile of the site. One site (8SR45) was recorded in 1970 based on non-contextual spot-finds by the property owner. The exact location was not documented and it was not evaluated for NRHP eligibility. In 1999, a new plot of the general vicinity placed it adjacent to the project site, southeast of 8SR1913. Of a total 65 shovel tests excavated within the proposed project area, only two were positive for historic (prehistoric) materials; the one referenced in 8SR1914 above and an isolated prehistoric lithic artifact discovered in the vicinity of 8SR1913 during the 1998 survey by PAL.

Conclusions and Recommendations:

The 2009 PCI Survey concluded that Sites 8SR1913 and SR1914 are both highly disturbed, light-density lithic scatters with no research potential beyond Phase I level of investigation and were recommended not eligible for inclusion in the National Register of Historic Places under criteria D. As a result, no further archaeological or historic investigations were recommended.

FEMA has reviewed the available information including; the 2009 PCI Survey, archaeological site reports, SHPO Archaeological Master Site Files, maps and aerial photographs of the project area. Based on this review FEMA has determined that these sites lack the necessary significance, research potential and integrity necessary for inclusion in the National Register of Historic Places.

As a consulting party, FEMA seeks your concurrence with the determination that the sites do not possess those qualities necessary for listing in the National Register, and therefore no historic properties will be affected by the project.

Native American Consultation:

FEMA recognizes and acknowledges the special and unique relationship that exists between the U.S. Government and Native American tribes, in Florida particularly; the Seminole Tribe of Florida; Miccosukee Tribe of Indians and the Poarch Band of Creek Indians. FEMA has contacted these tribes to determine if the tribes place cultural or religious significance to this property, have any specific comments or concerns related to the project or would otherwise like to request status as a "consulting party" pursuant to Sec. 101 and Sec. 106 of the National Historic Preservation Act, and 36CFR part 800.

Discovery:

FEMA will include the following discovery clause as a condition of the FEMA grant: During any activities which involve excavation or ground disturbance, the applicant and its designated contractors shall monitor all construction activities. In the event that fortuitous finds or unexpected discoveries, such as prehistoric or historic artifacts, including pottery or ceramics, stone tools or metal implements, or other physical remains that could be associated with North American cultures or early colonial or American settlement are encountered at any time within the project areas the project should cease all activities involving subsurface disturbance in the immediate vicinity of such discoveries. If the excavation process uncovers items, or evidence thereof, which might be of archaeological, historic, or architectural interest, the applicant will require its designated contractors to stop work immediately; notify FEMA, the SHPO and the appropriate THPO; and take all reasonable measures to protect the items in a manner sufficient to avoid additional harm until the significance of the discovery can be determined. In the event that any human remains are unearthed, all work will stop immediately and the area will be secured in accordance with local, state, and federal statutes.

Thank you very much for your attention to this matter. If you have any questions or need further clarification regarding this project, please contact Richard Myers, FEMA Environmental Liaison Officer at the letterhead address, by telephone at 407-268-8812 or by email at richard.myers@dhs.gov. We look forward to receiving your response as soon as possible.

Sincerely,

Richard Myers, FEMA Environmental Liaison Officer

cc: Richard Delp, Baskerville-Donovan, Inc.
449 Main Street
PO Box 13370
Pensacola, FL 32591



FLORIDA DEPARTMENT OF STATE
Kurt S. Browning
Secretary of State
DIVISION OF HISTORICAL RESOURCES

Mr. Richard Myers
U.S. Department of Homeland Security
Federal Emergency Management Agency
Florida Recovery Office
36 Skyline Drive
Lake Mary, Florida 32746

June 4, 2009

Re: DHR Project File No.: 2009-02525-B / Received by DHR: May 6, 2009
Archaeological and Historical Resurvey of the Frech Tract (Gulf Breeze Wastewater Treatment Facility Site), Santa Rosa County, Florida

Dear Mr. Myers:

Our office received and reviewed the above referenced survey report in accordance with Section 106 of the *National Historic Preservation Act of 1966* (Public Law 89-665), as amended in 1992, and *36 C.F.R., Part 800: Protection of Historic Properties*, and Chapter 267, *Florida Statutes*, for assessment of possible adverse impact to cultural resources (any prehistoric or historic district, site, building, structure, or object) listed, or eligible for listing, in the National Register of Historic Places (NRHP).

In March 2009, Panamerican Consultants, Inc. (PCI) conducted an archaeological and historical Phase I survey of the Frech tract proposed for the Gulf Breeze Wastewater Treatment Facility. The survey was conducted on behalf of the City of Gulf Breeze and Baskerville-Donovan, Inc. PCI identified two previously unrecorded archaeological sites (8SR1913 and 8SR1914) within the project area during the investigation. PCI determined that Sites 8SR1913 and 8SR1914 do not appear to meet minimum criteria for listing on the NRHP based on low density and disturbance. PCI recommends no further investigation of the tract.

The Federal Emergency Management Agency (FEMA) reviewed the above-referenced survey and determined that Sites 8SR1913 and 8SR1914 are not eligible for listing on the NRHP and that no historic properties will be affected by the undertaking. FEMA recommends no further archaeological investigation, but will include a clause detailing the necessary actions in the event that fortuitous finds or unexpected archaeological discoveries occur during project activities.

Based on the information provided, our agency concurs with the determinations of FEMA. We also find the submitted report complete and sufficient in accordance with Chapter 1A-46, *Florida Administrative Code*.

500 S. Bronough Street • Tallahassee, FL 32399-0250 • <http://www.flheritage.com>

Director's Office
(850) 245-6300 • FAX: 245-6436

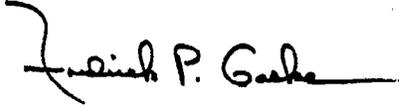
Archaeological Research
(850) 245-6444 • FAX: 245-6452

Historic Preservation
(850) 245-6333 • FAX: 245-6437

Mr. Myers
June 4, 2009
Page 2

For any questions concerning our comments, please contact Rudy Westerman, Historic Preservationist, by electronic mail at amwesterman@dos.state.fl.us, or by phone at (850) 245-6333. We appreciate your continued interest in protecting Florida's historic properties.

Sincerely,

A handwritten signature in black ink that reads "Frederick P. Gaske". The signature is written in a cursive style with a long horizontal line extending to the right.

Frederick P. Gaske, Director, and
State Historic Preservation Officer

Xc: Mr. Greg Mikell, Panamerican Consultants, Inc.

U.S. Department of Homeland Security
Federal Emergency Management Agency
Florida Recovery Office
36 Skyline Drive
Lake Mary, Florida 32746



FEMA

May 20, 2009

Mr. Willard Steele, Tribal Historic Preservation Officer
Tribal Historic Preservation Officer
Seminole Tribe of Florida
Ah-Tah-Thi-Ki Museum
34725 West Boundary Road
Clewiston, FL 33440

Re: Section 106 Consultation for City of Gulf Breeze, South Santa Rosa Utility System
Construction of the Eastern Wastewater Treatment Facility, Santa Rosa County, Florida.

Dear Mr. Steele,

The City of Gulf Breeze is proposing to use eligible FEMA funding for the construction of a 1.5 MGD wastewater treatment facility. The 25-acre wastewater treatment facility (WWTF) will be built on a 42-acre parcel of property (Lat 30.414722 Long -86.97305) owned by the City and currently being used as a spray field for wastewater effluent disposal. The facility would allow the City to accept effluent from Santa Rosa County and halt discharge into Pensacola Bay. The 25-acre facility would have influent screening and grit removal, equalization, aeration basin, secondary clarification, return activated sludge pumps station, filtration, chlorination, aerobic digestion of residuals, dewatering with centrifuge system, and a solid handling facility. Wet weather storage would be provided by a 9 million gallon on-site storage pond; reject storage would be provided by a 1.9 million gallon on-site storage tank. The project also includes a five to six acre holding pond that will provide water for re-use irrigation on residential and commercial properties in the immediate vicinity of the plant. The ponds will be excavated to a depth of approximately 7 feet below grade. The site has been disturbed by extensive logging, road construction, small stream improvements and installation of the existing spray field.

FEMA recognizes the special and unique relationship that exists between the Seminole Tribe of Florida and the U.S. Government. FEMA is contacting you as a representative of the Seminoles to determine if the Tribe places cultural or religious significance to this property, has any specific comments or concerns related to the project or would otherwise like to request status as a "consulting party" in the review of the subject project pursuant to Sec. 101 and Sec. 106 of the National Historic Preservation Act, and 36CFR part 800.

It is my understanding that the City's consulting engineer, Baskerville-Donovan, Inc. (BDI) has already provided you with a copy of the Archaeological and Historic Resurvey of the Frecht Tract, prepared by Panamerican Consultants Inc. (PCI) in March of 2009. During their survey of the project area PCI discovered and documented two previously unrecorded prehistoric lithic scatter sites recorded as 8SR1913 and 8SR1914. In keeping with FEMA's responsibilities under Sec. 106 of the NHPA, a FEMA historic specialist has reviewed this project, and in particular the two archaeological sites of interest identified in the survey.

Site 8SR1913 is described as a small, low-density scatter of prehistoric lithic artifacts situated on a slightly elevated terrace along the west side of an unnamed branch in the southeastern portion of the Frecht Tract. Initially, three (3) un-diagnostic lithic artifacts were recovered from a disturbed surface context. Subsequently, 10 shovel tests were excavated in the immediate adjacent area, but no additional artifacts were recovered. The site is clearly disturbed and does not possess substantial subsurface deposits, diagnostic artifacts, artifact concentrations or archaeological features.

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During the period between 1996 and 2007 there have been six other cultural resource surveys in the vicinity of the proposed project. Five archaeological sites are recorded within 1 mile of the site. One site (8SR45) was recorded in 1970 based on non-contextual spot-finds by the property owner. The exact location was not documented and it was not evaluated for NRHP eligibility. In 1999, a new plot of the general vicinity placed it adjacent to the project site, southeast of 8SR1913. In total, 65 shovel tests have been excavated within the proposed project area. Of these, only two were positive for historic (prehistoric) materials; the one referenced in 8SR1914 above and an isolated prehistoric lithic artifact discovered during a 1998 survey by Pensacola Archaeology Lab (PAL) in the vicinity of 8SR1913.

The 2009 PCI Survey concluded that Sites 8SR1913 and SR1914 are both highly disturbed, light-density lithic scatters with no research potential beyond Phase I level of investigation. As a result, no further archaeological or historic investigations were recommended.

FEMA has reviewed the available information including; the 2009 PCI Survey, archaeological site reports, SHPO Archaeological Master Site Files, maps and aerial photographs of the project area. Based on this review FEMA has determined that sites lack the necessary significance and integrity necessary for inclusion in the National Register of Historic Places. As a consulting party, FEMA would seek your concurrence with the

determination that the sites do not possess those qualities necessary for listing in the National Register, and therefore no historic properties will be affected by the project.

The following discovery clause will be added as a condition of the FEMA grant:

During any activities which involve excavation or ground disturbance, the applicant and its designated contractors shall monitor all construction activities. In the event that fortuitous finds or unexpected discoveries, such as prehistoric or historic artifacts, including pottery or ceramics, stone tools or metal implements, or other physical remains that could be associated with North American cultures or early colonial or American settlement are encountered at any time within the project areas the project should cease all activities involving subsurface disturbance in the immediate vicinity of such discoveries. If the excavation process uncovers items, or evidence thereof, which might be of archaeological, historic, or architectural interest, ECUA will require its designated contractors to stop work immediately; notify FEMA, the SHPO and the appropriate THPO; and take all reasonable measures to protect the items in a manner sufficient to avoid additional harm until the significance of the discovery can be determined. In the event that any human remains are unearthed, all work will stop immediately and the area will be secured in accordance with local, state, and federal statutes.

Thank you very much for your attention to this matter. If you have any questions or need further clarification regarding this project, please contact Richard Myers, FEMA Environmental Liaison Officer at the letterhead address, by telephone at 407-268-8812 or by email at richard.myers@dhs.gov. We look forward to receiving your response as soon as possible.

Sincerely,

A handwritten signature in black ink, appearing to read "April Cummings". The signature is written in a cursive, flowing style.

April Cummings, FEMA EHP Team Lead

U.S. Department of Homeland Security
Federal Emergency Management Agency
Florida Recovery Office
36 Skyline Drive
Lake Mary, Florida 32746



FEMA

May 20, 2009

Mr. Steven Terry
Miccosukee Tribe of Indians of Florida
PO Box 440021
Timiami Station
Miami, FL 33440

Re: Section 106 Consultation for City of Gulf Breeze, South Santa Rosa Utility System
Construction of the Eastern Wastewater Treatment Facility, Santa Rosa County, Florida.

Dear Mr. Terry,

The City of Gulf Breeze is proposing to use eligible FEMA funding for the construction of a 1.5 MGD wastewater treatment facility. The 25-acre wastewater treatment facility (WWTF) will be built on a 42-acre parcel of property (Lat 30.414722 Long -86.97305) owned by the City and currently being used as a spray field for wastewater effluent disposal. The facility would allow the City to accept effluent from Santa Rosa County and halt discharge into Pensacola Bay. The 25-acre facility would have influent screening and grit removal, equalization, aeration basin, secondary clarification, return activated sludge pumps station, filtration, chlorination, aerobic digestion of residuals, dewatering with centrifuge system, and a solid handling facility. Wet weather storage would be provided by a 9 million gallon on-site storage pond; reject storage would be provided by a 1.9 million gallon on-site storage tank. The project also includes a five to six acre holding pond that will provide water for re-use irrigation on residential and commercial properties in the immediate vicinity of the plant. The ponds will be excavated to a depth of approximately 7 feet below grade. The site has been disturbed by extensive logging, road construction, small stream improvements and installation of the existing spray field.

FEMA recognizes the special and unique relationship that exists between the Miccosukee Tribe of Indians of Florida and the U.S. Government. FEMA is contacting you as a representative of the Miccosukee to determine if the Tribe places cultural or religious significance to this property, has any specific comments or concerns related to the project or would otherwise like to request status as a "consulting party" in the review of the subject project pursuant to Sec. 101 and Sec. 106 of the National Historic Preservation Act, and 36CFR part 800.

It is my understanding that the City's consulting engineer, Baskerville-Donovan, Inc. (BDI) has already provided you with a copy of the Archaeological and Historic Resurvey of the Frecht Tract, prepared by Panamerican Consultants Inc. (PCI) in March of 2009. During their survey of the project area PCI discovered and documented two previously unrecorded prehistoric lithic scatter sites recorded as 8SR1913 and 8SR1914. In keeping with FEMA's responsibilities under Sec. 106 of the NHPA, a FEMA historic specialist has reviewed this project, and in particular the two archaeological sites of interest identified in the survey.

Site 8SR1913 is described as a small, low-density scatter of prehistoric lithic artifacts situated on a slightly elevated terrace along the west side of an unnamed branch in the southeastern portion of the Frecht Tract. Initially, three (3) un-diagnostic lithic artifacts were recovered from a disturbed surface context. Subsequently, 10 shovel tests were excavated in the immediate adjacent area, but no additional artifacts were recovered. The site is clearly disturbed and does not possess substantial subsurface deposits, diagnostic artifacts, artifact concentrations or archaeological features.

Site 8SR1914 is described as a small, low-density scatter of prehistoric lithic artifacts situated on a slightly elevated terrace adjacent to a small, unnamed drainage in the southwestern portion of the Frecht Tract. Initially, two (2) un-diagnostic lithic artifacts were recovered from a disturbed surface context. Subsequently, 13 shovel tests were excavated in the immediate vicinity with a single piece of chert debitage recovered from a shallow sub-surface context. This site has suffered significant negative impacts from extensive logging, as well as more recent land use, and does not possess substantial subsurface deposits, diagnostic artifacts, artifact concentrations or archaeological features.

During the period between 1996 and 2007 there have been six other cultural resource surveys in the vicinity of the proposed project. Five archaeological sites are recorded within 1 mile of the site. One site (8SR45) was recorded in 1970 based on non-contextual spot-finds by the property owner. The exact location was not documented and it was not evaluated for NRHP eligibility. In 1999, a new plot of the general vicinity placed it adjacent to the project site, southeast of 8SR1913. In total, 65 shovel tests have been excavated within the proposed project area. Of these, only two were positive for historic (prehistoric) materials; the one referenced in 8SR1914 above and an isolated prehistoric lithic artifact discovered during a 1998 survey by Pensacola Archaeology Lab (PAL) in the vicinity of 8SR1913.

The 2009 PCI Survey concluded that Sites 8SR1913 and SR1914 are both highly disturbed, light-density lithic scatters with no research potential beyond Phase I level of investigation. As a result, no further archaeological or historic investigations were recommended.

FEMA has reviewed the available information including; the 2009 PCI Survey, archaeological site reports, SHPO Archaeological Master Site Files, maps and aerial photographs of the project area. Based on this review FEMA has determined that sites lack the necessary significance and integrity necessary for inclusion in the National Register of Historic Places. As a consulting party, FEMA would seek your concurrence with the

determination that the sites do not possess those qualities necessary for listing in the National Register, and therefore no historic properties will be affected by the project.

The following discovery clause will be added as a condition of the FEMA grant:

During any activities which involve excavation or ground disturbance, the applicant and its designated contractors shall monitor all construction activities. In the event that fortuitous finds or unexpected discoveries, such as prehistoric or historic artifacts, including pottery or ceramics, stone tools or metal implements, or other physical remains that could be associated with North American cultures or early colonial or American settlement are encountered at any time within the project areas the project should cease all activities involving subsurface disturbance in the immediate vicinity of such discoveries. If the excavation process uncovers items, or evidence thereof, which might be of archaeological, historic, or architectural interest, ECUA will require its designated contractors to stop work immediately; notify FEMA, the SHPO and the appropriate THPO; and take all reasonable measures to protect the items in a manner sufficient to avoid additional harm until the significance of the discovery can be determined. In the event that any human remains are unearthed, all work will stop immediately and the area will be secured in accordance with local, state, and federal statutes.

Thank you very much for your attention to this matter. If you have any questions or need further clarification regarding this project, please contact Richard Myers, FEMA Environmental Liaison Officer at the letterhead address, by telephone at 407-268-8812 or by email at richard.myers@dhs.gov. We look forward to receiving your response as soon as possible.

Sincerely,



April Cummings, FEMA EHP Team Lead

From: Myers, Richard [Richard.Myers@fema.gov]
Sent: Wednesday, May 27, 2009 10:33 AM
To: Cummings, April
Cc: SteveT@miccosukeetribe.com
Subject: RE: Consultation Letter for a Wastewater Treatment Plant, GulfBreeze, FL (Santa Rosa County)

April,

Please be advised that the presence of an archaeologist during ground-disturbing activities and on-site re-internment of any cultural resources discovered as a result of the project will be made a condition of federal funding.

Please let me know if you have any questions. Thank you.

Richard Myers
Environmental Liaison Officer
FEMA Region IV / Florida Recovery Office
36 Skyline Drive
Lake Mary Fl 32746
richard.myers@dhs.gov
Office 407-268-8812
Cell 832-851-0122
Fax 407-268-8977

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

From: Cummings, April
Sent: Wednesday, May 27, 2009 9:11 AM
To: Myers, Richard
Subject: Fw: Consultation Letter for a Wastewater Treatment Plant, GulfBreeze, FL (Santa Rosa County)

I wanted to forward this to you because I don't think he sent it to you.

Sent using BlackBerry

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

From: Steve Terry <SteveT@miccosukeetribe.com>
To: Cummings, April <april.cummings@dhs.gov>
Sent: Wed May 27 08:57:55 2009
Subject: Re: Consultation Letter for a Wastewater Treatment Plant, GulfBreeze, FL (Santa Rosa County)

The Miccosukee Tribe of Indians of Florida received your e-mail about the Santa Rosa County wastewater treatment facility. After careful review of the documentation provided and in consultation with Mr. Fred Dayhoff, we offer the following comments. We request that all cultural materials be reinterred on site, preferably in the same location. If this is in the construction zone, then please reinter them somewhere on site close by. We further request that an archaeologist be present during ground disturbing activities.

Thank you for consulting with the Miccosukee Tribe. Please contact me at the below number or via e-mail if you require additional information.

Steve Terry
NAGPRA & Section 106 Coordinator for
Fred Dayhoff
NAGPRA & Section 106 Representative
Miccosukee Tribe
P.O. Box 440021
Miami, FL 33144-0021
(305) 223-8380, Ext. 2243
Stevet@miccosukeetribe.com

>>> "Cummings, April" <april.cummings@dhs.gov> 5/20/2009 1:05 PM >>>
Mr. Terry,

I'm sending an attached copy of the signed Section 106 consultation letter for the construction of a wastewater treatment facility in Gulf Breeze, Santa Rosa County, FL. I will follow this email up with a hard copy sent directly to you.

It is FEMA's understanding that the city's consulting engineer, Baskerville-Donavan, Inc (BDI) has already provided you a copy of the Archaeological and Historic Resurvey of the Frecht Tract prepared by Panamerican Consultants in March 2009. The letter describes the findings during the cultural assessment. I have also attached a cultural map, the USGS topo map, and an aerial map of the site in order to aid in your review process. Based on the findings of the cultural assessment, FEMA has determined that sites lack the necessary significance and integrity necessary for inclusion in the National Register of Historic Places.

If you concur with FEMA's determination, please respond to both Rick and myself via email within a 30 day timeframe so we can enter your response into our records. If you have any questions or need any clarification please contact Rick Myers, Environmental Liaison Officer at 407-268-8812 or by email at richard.myers@dhs.gov.

April Cummings

EHP Team Lead

U.S. Department of Homeland Security
Federal Emergency Management Agency
Florida Recovery Office
36 Skyline Drive
Lake Mary, Florida 32746



FEMA

May 20, 2009

Mr. Robert Thrower, Tribal Historic Preservation Officer
Poarch Band of Creek Indians
5811 Jack Springs Road
Atmore, AL 36502

Re: Section 106 Consultation for City of Gulf Breeze, South Santa Rosa Utility System
Construction of the Eastern Wastewater Treatment Facility, Santa Rosa County, Florida.

Dear Mr. Thrower,

The City of Gulf Breeze is proposing to use eligible FEMA funding for the construction of a 1.5 MGD wastewater treatment facility. The 25-acre wastewater treatment facility (WWTF) will be built on a 42-acre parcel of property (Lat 30.414722 Long -86.97305) owned by the City and currently being used as a spray field for wastewater effluent disposal. The facility would allow the City to accept effluent from Santa Rosa County and halt discharge into Pensacola Bay. The 25-acre facility would have influent screening and grit removal, equalization, aeration basin, secondary clarification, return activated sludge pumps station, filtration, chlorination, aerobic digestion of residuals, dewatering with centrifuge system, and a solid handling facility. Wet weather storage would be provided by a 9 million gallon on-site storage pond; reject storage would be provided by a 1.9 million gallon on-site storage tank. The project also includes a five to six acre holding pond that will provide water for re-use irrigation on residential and commercial properties in the immediate vicinity of the plant. The ponds will be excavated to a depth of approximately 7 feet below grade. The site has been disturbed by extensive logging, road construction, small stream improvements and installation of the existing spray field.

FEMA recognizes the special and unique relationship that exists between the Poarch Band of Creek Indians and the U.S. Government. FEMA is contacting you as a representative of the Poarch Band to determine if the Tribe places cultural or religious significance to this property, has any specific comments or concerns related to the project or would otherwise like to request status as a "consulting party" in the review of the subject project pursuant to Sec. 101 and Sec. 106 of the National Historic Preservation Act, and 36CFR part 800.

It is my understanding that the City's consulting engineer, Baskerville-Donovan, Inc. (BDI) has already provided you with a copy of the Archaeological and Historic Resurvey

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Thank you very much for your attention to this matter. If you have any questions or need further clarification regarding this project, please contact Richard Myers, FEMA Environmental Liaison Officer at the letterhead address, by telephone at 407-268-8812 or by email at richard.myers@dhs.gov. We look forward to receiving your response as soon as possible.

Sincerely,

A handwritten signature in black ink, appearing to read "April Cummings". The signature is fluid and cursive, with a long, sweeping tail on the final letter.

April Cummings, FEMA EHP Team Lead