



**FLORIDA SOUTHEAST CONNECTION
PROJECT**

RESOURCE REPORT 4
Cultural Resources

FERC Docket No. PF14-2-000

Pre-Filing Draft
June 2014

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RESOURCE REPORT 4 – CULTURAL RESOURCES	
Filing Requirement	Location in Environmental Report
<input checked="" type="checkbox"/> Resource Report 4 must contain: (i) Documentation of the applicant's initial cultural resources consultation, including consultations with Native Americans and other interested persons (if appropriate); (ii) Overview and Survey Reports, as appropriate; and (iii) Written comments from State Historic Preservation Officer(s) ("SHPO"), Tribal Historic Preservation Officers ("THPO"), as appropriate, and applicable land-managing agencies on the reports in paragraphs (f)(1)(i)-(iv) of this section. (§ 380.12(f)(1))	Appendix 4A Appendix 4B
<input checked="" type="checkbox"/> Initial filing requirements. The initial application must include the Documentation of initial cultural resource consultation, the Overview and Survey Reports, if required, and written comments from SHPOs, THPOs and land-managing agencies, if available. The initial cultural resources consultations should establish the need for surveys. If surveys are deemed necessary by the consultation with the SHPO/THPO, the survey report must be filed with the application. (i) If the comments of the SHPOs, THPOs, or land-management agencies are not available at the time the application is filed, they may be filed separately, but they must be filed before a final certificate is issued. (ii) If landowners deny access to private property and certain areas are not surveyed, the unsurveyed area must be identified by mileposts, and supplemental surveys or evaluations shall be conducted after access is granted. In such circumstances, reports, and treatment plans, if necessary, for those inaccessible lands may be filed after a certificate is issued. (§ 380.12(f)(2))	Appendix 4A Appendix 4B
<input type="checkbox"/> The Evaluation Report and Treatment Plan, if required, for the entire project must be filed before a final certificate is issued. (i) The Evaluation Report may be combined in a single synthetic report with the Overview and Survey Reports if the SHPOs, THPOs, and land-management agencies allow and if it is available at the time the application is filed. (ii) In preparing the Treatment Plan, the applicant must consult with the Commission staff, the SHPO, and any applicable THPO and land-management agencies. (iii) Authorization to implement the Treatment Plan will occur only after the final certificate is issued. (§ 380.12(f)(3))	To Be Filed, If Applicable
<input checked="" type="checkbox"/> Applicant must request privileged treatment for all material filed with the Commission containing location, character, and ownership information about cultural resources in accordance with Sec. 388.112 of this chapter. The cover and relevant pages or portions of the report should be clearly labeled in bold lettering: ``CONTAINS PRIVILEGED INFORMATION--DO NOT RELEASE." (§ 380.12(f)(4))	As Filed
<input checked="" type="checkbox"/> Except as specified in a final Commission order, or by the Director of the Office of Pipeline Regulation, construction may not begin until all cultural resource reports and plans have been approved. (§ 380.12(f)(5))	As Filed

ACRONYMS AND ABBREVIATIONS

APE	Area of Potential Effect
ATWS	additional temporary workspace
Cardno	Cardno ENTRIX
Certificate	Certificate of Public Convenience and Necessity
CLG	Certified Local Governments
ft	feet
FERC	Federal Energy Regulatory Commission
FDHR	Florida Division of Historical Resources
FSC	Florida Southeast Connection, LLC
FSC Project	Florida Southeast Connection Project
HDD	Horizontal Directional Drill
in	inches
Janus	Janus Research
National Register	National Register of Historic Places
NEPA	National Environmental Policy Act of 1969
NHPA	National Historic Preservation Act
Sabal Trail	Sabal Trail Transmission Pipeline Project
SHPO	State Historic Preservation Officer
Unanticipated Discovery Plan	Procedures Guiding the Discovery of Unanticipated Cultural Resources and Human Remains

4.0 RESOURCE REPORT 4 – CULTURAL RESOURCES

4.1 INTRODUCTION

Florida Southeast Connection, LLC (“FSC”), a subsidiary of NextEra Energy, Inc., is seeking a certificate of public convenience and necessity (“Certificate”) from the Federal Energy Regulatory Commission (“FERC”) pursuant to Section 7(c) of the Natural Gas Act authorizing the construction and operation of an approximately 127 mile natural gas pipeline known as the Florida Southeast Connection Project (“FSC Project”). The FSC Project is designed to meet the growing demand for natural gas by the electric generation, distribution and end use markets in Florida. It will also provide additional source diversity through a connection to a new interconnection hub in central Florida (“Central Florida Hub”) to be constructed as part of the Sabal Trail Transmission Pipeline Project (“Sabal Trail”). Sabal Trail is the subject of a separate, but related, certificate filing to the FERC.

The FSC Project will increase natural gas transportation capacity and availability to southern Florida by adding a new third pipeline in central and southern Florida. Upon the anticipated in-service date of May 2017, the FSC Project will be capable of providing approximately 640 million cubic feet per day of natural gas to an existing gas yard at Florida Power & Light Company’s (“FPL”) Martin Clean Energy Center.

The FSC Project involves the construction and operation of approximately 127 miles of up to 36-inch-diameter pipeline and the construction and operation of one meter station (known as the Martin Meter Station). The FSC Project pipeline will start in Osceola County, Florida at the interconnection with Sabal Trail within the Central Florida Hub and will traverse Polk, Osceola, Okeechobee, St. Lucie, and Martin counties, terminating at the Martin Clean Energy Center in Martin County, Florida. The Martin Meter Station will be located at the terminus of the FSC Project at the Martin Clean Energy Center in Martin County, Florida. Other associated facilities will include access roads, pig launcher/receiver facilities, contractor yards, staging areas, and Additional Temporary Work Spaces (“ATWS”). A complete summary of the FSC Project facilities is provided in Table 1.2-1 of Resource Report 1 and a location map of the FSC Project facilities is provided as Figure 1.2-1 in Resource Report 1.

This Resource Report 4 provides a discussion of existing cultural resources within the vicinity of the FSC Project. Section 4.2 of this report identifies the scope and authority under which the cultural resource investigations and consultations for the FSC Project were undertaken. Agency, Native American, and consulting party consultations are briefly discussed in Section 4.3. The Area of Potential Effect (“APE”) evaluated for cultural resources is defined in Section 4.4. Section 4.5 provides a summary of the cultural resources investigation to date. Section 4.6 provides a discussion on areas that have not been surveyed and Section 4.7 provides an overall summary. A checklist showing the status of the FERC filing requirements for Resource Report 4 is included after the table of contents.

Agency and stakeholder correspondence related to cultural resources is provided in Appendix 4A of this report. The technical survey documentation upon which this Resource Report is based is provided in Appendix 4B. Given the privileged and confidential nature of the reports, Appendix 4B is provided under separate cover in Volume II. Procedures guiding the unanticipated discovery of cultural resources and human remains for the FSC Project are provided in Appendix 4C.

4.2 SCOPE AND AUTHORITY

The FSC Project requires approvals and permits from federal, state and local entities. One of the primary approval requirements at the federal level is a FERC Certificate. Consequently, the

FSC Project is being reviewed under Section 106 of the National Historic Preservation Act (“NHPA”) of 1966, as amended. Prior to authorizing an undertaking (e.g., the issuance of a FERC approval or Certificate), Section 106 of the NHPA requires federal agencies, including the FERC, to take into account the effect of that undertaking on cultural resources listed or eligible for listing in the National Register of Historic Places (“National Register”) and afford the Advisory Council on Historic Preservation an opportunity to comment on the undertaking. The Section 106 process is coordinated at the state level by the State Historic Preservation Officer (“SHPO”), represented in Florida by the Florida Division of Historical Resources (“FDHR”). The FERC, as the lead federal agency, must consult with the Florida SHPO regarding the effects of the FSC Project on historic properties.

The primary goals of cultural resource investigations conducted as part of the Section 106 review are to:

- Locate, document, and evaluate buildings, structures, objects, landscapes, and archaeological sites that are listed, or eligible for listing, in the National Register;
- Assess potential impacts of the Project on those resources; and
- Provide recommendations for subsequent treatment, if necessary, to assist with compliance with Section 106.

In addition to Section 106, the cultural resources investigation was conducted for the FSC Project in accordance with the FERC’s Office of Energy Project’s *Guidelines for Reporting on Cultural Resources Investigations* (2002); the Secretary of the Interior’s *Standards and Guidelines for Archeology and Historic Preservation* (48 Fed. Reg. 44716-42, Sept. 29, 1983); Section 380.3 of the FERC’s regulations; Chapter 267, Florida Statutes (Florida Historic Resources Act); and the Florida SHPO’s *Cultural Resource Management Standards and Operational Manual* (FDHR 2003).

4.3 AGENCY AND NATIVE AMERICAN CONSULTATION

FSC initiated Section 106 consultation with the Florida SHPO and five Native American groups. Section 4.3 details the correspondence FSC has had with each of these entities to date. All correspondence related to the cultural resources surveys for the FSC Project are included in Appendix 4A, and new correspondence will be forwarded to the FERC upon receipt.

4.3.1 Florida State Historic Preservation Office Consultation

FSC initiated Section 106 consultation with the Florida SHPO by submitting a Project information package for review and comment at a meeting on August 16, 2013. FSC provided an overview of the project and discussed the scope and nature of the proposed investigations. The Florida SHPO responded and agreed with the proposed APE and survey methods.

On March 10, 2014, FSC submitted the cultural resources report by Janus Research (“Janus”) to the Florida SHPO. On April 10, 2014, the Florida SHPO concurred with the determinations in that report. An additional cultural resources report will be submitted in the future with results of surveys subsequent to the initial cultural resources report.

4.3.2 Local Government Consultation

The FSC Project is not situated within the boundaries of any Certified Local Governments (“CLG”) (e.g., local governments that have established a qualified historic preservation commission and meet other standards identified by the National Park Service and Florida SHPO), and accordingly no consultation was conducted with any CLGs.

4.3.3 Native American Consultation

FSC, on behalf of the FERC, initiated consultation with Florida's five federally recognized Native American groups to provide an opportunity to identify any concerns about properties of traditional religious or cultural significance that may be affected by this undertaking. Of the five federally recognized Native American groups, one (Muscogee [Creek] Nation of Oklahoma) responded that they should continue to be consulted during FSC Project planning activities; two (the Miccosukee Tribe and the Seminole Tribe of Florida) indicated that they had no comment on the FSC Project or that the FSC Project is outside their area of concern. FSC has not received responses from the two other federally recognized groups (Poarch Band of Creek Indians and Seminole Nation of Oklahoma).

On November 15, 2013, FSC met with the Seminole Tribe of Florida in Clewiston, Florida to discuss the project. After review of Geographic Information System shapefiles, the Seminole Tribe of Florida confirmed that FSC does not cross any areas of concern to the tribe.

Table 4.3-1 lists the federally recognized Native American groups contacted for the FSC Project.

4.4 AREA OF POTENTIAL EFFECT

The APE is the "geographic area or areas within which an undertaking may directly or indirectly cause changes in the character of or use of historic properties, if any such properties exist" (36 CFR 800.16(d)). The APE for archaeological resources and historic architectural/industrial properties for the FSC Project consists of a corridor that generally measures 300 feet ("ft") in width and includes both the temporary construction right-of-way and the permanent right-of-way. The APE generally measures 300 ft in greenfields (undeveloped areas, such as natural areas, pasture, and agricultural fields). Along those portions of the route that are co-located along existing rights-of-way, the APE ranges from 200 to 250 ft in width. In a few isolated instances, the APE is considerably narrower (i.e., 100 ft) to comply with specific landowner requests. The APE for the aboveground facilities and access roads is confined to the footprint of those facilities.

4.5 CULTURAL RESOURCE INVESTIGATIONS

Cultural resource investigations were conducted in accordance with FERC and Florida SHPO guidelines by Janus and by Cardno ENTRIX ("Cardno"). Mr. James P. Pepe, M.A., RPA, served as Principal Investigator for archaeological investigations conducted by Janus for the FSC project, and Mr. Paul L. Jones, M.A., RPA, served as Principal Investigator for archaeological investigations conducted by Cardno. Ms. Amy Groover Steelman, MHP, of Janus directed all Janus historic architectural/industrial properties surveys for the FSC Project. Mr. Pepe, Mr. Jones, and Ms. Steelman meet or exceed all requirements set forth by the Secretary of Interior at 36 CFR Part 61.

Table 4.5-1 describes the completion status for the cultural resources surveys.

4.5.1 Overview Methodology and Results

The initial phase of investigation involved an overview survey to gather information about previous cultural resource investigations and known archaeological sites within and abutting the FSC Project APE. For historic architectural/industrial properties, the overview survey gathered information on resources within the APE. The review indicated that there are various pre- and post-contact sites and historical architectural/industrial properties located within or adjacent to the APE.

The information regarding archaeological sites was used to stratify the FSC Project APE into zones of archaeological sensitivity. Archaeological sensitivity is defined as the likelihood for pre- or post-contact archaeological resources to be present within the FSC Project APE based on different categories of information. The following methodology was used to complete the overview:

- Identification of any known archaeological sites and previously recorded historic architectural properties through background research and state site file searches. Data pertaining to known sites, including their locational, functional, and temporal characteristics, were reviewed where applicable;
- Review of cultural resource management surveys performed in the vicinity of the proposed FSC Project;
- Review of primary and secondary historic information (e.g., original government plat maps and survey notes, historic and modern maps and aerial photographs) to learn of areas where previous structures, landscapes, and archaeological probability areas were potentially located.
- Review of relevant environmental data (e.g., soil characteristics, proximity to fresh water, relative elevation, and the presence of hardwood hammocks) that might affect site locations; and
- Consultation with representatives of the Florida SHPO.

For frequency and type of cultural resources previously recorded within the vicinity of each element of the FSC Project, including those previously recorded cultural resources located within the FSC Project APE (main line route, access roads, etc.), please refer to the technical report in Appendix 4B.

4.5.2 Archaeological Survey Results

FSC excavated 3,215 shovel test pits within the FSC Project study area; of those, 104 yielded cultural material.

The survey resulted in the identification of 25 sites (18 pre-contact archaeological sites and seven post-contact period sites, including 11 previously recorded pre-contact sites) and 15 archaeological occurrences (11 pre-contact and four post-contact), which represent deposits containing less than three pieces of cultural material.

Table 4.5-2 lists the archaeological sites and occurrences identified for the FSC Project.

FSC recommends all 25 sites and 15 archaeological occurrences as not eligible for the National Register.

4.5.3 Historic Architectural/Industrial Properties Survey Results

FSC identified 25 historic architectural/industrial properties within the FSC Project study area, including 14 previously identified resources and 11 newly identified resources.

Table 4.5-3 lists the historic architectural/industrial properties identified for the FSC Project.

Three previously recorded resources (the South Florida Railroad/CSX Railroad [8PO7219/8OS2540], FEC Railroad-Lake Harbor Branch [8SL3014], and the Seaboard Airline Railroad/CSX Railroad [8MT1514]) have previously been determined eligible for the National Register by the Florida SHPO. FSC plans to avoid affecting these resources by using a bore method to place the pipeline under these resources. Consequently, no mitigation measures will be needed for these resources.

One previously recorded resource, Old Kissimmee Road/Old Tampa Road (8PO7154/8OS2567), has previously been assessed by the Florida SHPO as lacking sufficient information for National Register eligibility determinations. Since a limited portion of this linear resource is located within the FSC Project APE, there is insufficient information to evaluate the significance of this resource. FSC plans to avoid affecting these resources by using a bore method to place the pipeline under this resource. Consequently, no additional research will be needed for this resource.

The remaining 21 historic architectural/industrial resources are recommended as not eligible for the National Register.

4.6 OUTSTANDING SURVEYS

Table 4.5-1 provides the status of outstanding cultural resource surveys for the FSC Project.

4.7 SUMMARY

The archaeological and historic architectural/industrial properties surveys are complete for over 90% of the mainline route, proposed access roads, and other currently proposed facilities for the FSC Project. An initial report on the cultural resource surveys for the FSC Project has been submitted to the Florida SHPO and additional reports are pending. All comments regarding the cultural resources component of the FSC Project are included in Appendix 4A or will be forwarded to the FERC upon receipt.

The archaeological survey resulted in the identification of 25 sites and 15 archaeological occurrences. FSC recommends all 25 sites and 15 occurrences as not eligible for the National Register.

The historic architectural/industrial properties survey identified 25 historic architectural/industrial properties, including 14 previously identified resources and 11 newly identified resources. Three previously recorded resources have previously been determined eligible for the National Register by the Florida SHPO. FSC plans to avoid affecting these resources by using a bore method to place the pipeline under these resources. Consequently, no mitigation measures will be needed for these resources.

One previously recorded resource has previously been assessed by the Florida SHPO as lacking sufficient information for National Register eligibility determinations. Since a limited portion of this linear resource is located within the FSC Project APE, there is insufficient information to evaluate the significance of this resource. FSC plans to avoid affecting this resource by using a bore method to place the pipeline under this resource. Consequently, no additional research will be needed for this resource.

FSC recommends the remaining 21 historic architectural/industrial properties as not eligible for the National Register.

TABLES

Table 4.3-1 Federally-Recognized Native American Groups Contacted for the Florida Southeast Connection Project		
Tribe Name	Date Submitted	Date Response Received
Miccosukee Tribe of Indians of Florida	02/03/2014	Verbal response received
Muscogee (Creek) Nation of Oklahoma	02/03/2014	02/24/14, 04/07/14
Poarch Band of Creek Indians	02/03/2014	No response received to date
Seminole Nation of Oklahoma	02/03/2014	No response received to date
Seminole Tribe of Florida	11/15/2013	Verbal response received

Table 4.5-1				
Completion Status of Archaeological and Historic Architectural/Industrial Property Surveys for the Florida Southeast Connection Project				
Facility	Length (Miles)/ Acres	Overview Survey Coverage by Facility (%) *	Identification Survey Coverage by Facility (%)	Date Results Submitted to SHPO
Mainline Route	127 miles	100	91.8 (Archaeology) 100 (Architecture)	March 10, 2014, pending
Martin Meter Station	0.9 acres	100	100 (Archaeology) 100 (Architecture)	March 10, 2014
Pig Launchers/ Receivers	0.4 acres	100	100 (Archaeology) 100 (Architecture)	March 10, 2014
Contractor Yards	224.9 acres	100	93.7 (Archaeology) 100 (Architecture)	March 10, 2014
Staging Areas	4.3 acres	100	100 (Archaeology) 100 (Architecture)	March 10, 2014, pending
Access Roads	87.5 miles	100	98.8 (Archaeology) 100 (Architecture)	March 10, 2014, pending
<p><i>* Pending Results of Updated Surveys.</i></p> <p><i>Sources: Report, Cultural Resource Assessment Survey of the Florida Southeast Connection Pipeline, Osceola, Polk, Okeechobee, St. Lucie, and Martin Counties – Janus Research, March 2014</i></p> <p><i>Report, Cultural Resource Assessment Survey of Latt Maxcy Segment – Florida Southeast Connection Pipeline (Addendum), Osceola County, Florida – Cardno ENTRIX, April 2014. (Submittal to SHPO pending)</i></p>				

**Table 4.5-2
Archaeological Sites and Occurrences Identified for the Florida Southeast Connection Project**

Facility Name	Site Name	Site Type	Recommended NRHP Status	Recommended Action
Mainline Route	8PO3968	Pre-contact archaeological site	Not eligible	None
Mainline Route	8PO3970	Pre-contact archaeological site	Not eligible	None
Mainline Route	8PO3971	Pre-contact archaeological site	Not eligible	None
Mainline Route	8PO3972	Pre-contact archaeological site	Not eligible	None
Mainline Route	8PO3973	Pre-contact archaeological site	Not eligible	None
Mainline Route	8PO3974	Pre-contact archaeological site	Not eligible	None
Mainline Route	8PO3975	Pre-contact archaeological site	Not eligible	None
Mainline Route	8PO4019	Pre-contact archaeological site	Not eligible	None
Mainline Route	8PO4022	Pre-contact archaeological site	Not eligible	None
Access Road	8PO7041	Pre-contact archaeological site	Not eligible	None
Mainline Route	8PO7160	Pre-contact archaeological site	Not eligible	None
Mainline Route	8PO7704	Pre-contact archaeological site	Not eligible	None
Mainline Route	8PO7707	Pre-contact archaeological site	Not eligible	None
Mainline Route	8PO7708	Post-contact archaeological site	Not eligible	None
Mainline Route	8PO7709	Post-contact archaeological site	Not eligible	None
Mainline Route	8PO7710	Post-contact archaeological site	Not eligible	None

**Table 4.5-2
Archaeological Sites and Occurrences Identified for the Florida Southeast Connection Project**

Facility Name	Site Name	Site Type	Recommended NRHP Status	Recommended Action
Mainline Route	8PO7711	Pre-contact archaeological site	Not eligible	None
Mainline Route	8PO7712	Pre-contact archaeological site	Not eligible	None
Mainline Route	8PO7713	Post-contact archaeological site	Not eligible	None
Mainline Route	8PO7714	Pre-contact archaeological site	Not eligible	None
Mainline Route	8PO7715	Pre-contact archaeological site	Not eligible	None
Mainline Route	8PO7716	Post-contact archaeological site	Not eligible	None
Mainline Route	8PO7717	Post-contact archaeological site	Not eligible	None
Contractor Yard	8PO7748	Post-contact archaeological site	Not eligible	None
Mainline Route	8PO7749	Pre-contact archaeological site	Not eligible	None
Mainline Route	Archaeological Occurrence #1 (Janus)	Pre-contact archaeological occurrence	Not eligible	None
Mainline Route	Archaeological Occurrence #2 (Janus)	Post-contact archaeological occurrence	Not eligible	None
Mainline Route	Archaeological Occurrence #3 (Janus)	Pre-contact archaeological occurrence	Not eligible	None
Mainline Route	Archaeological Occurrence #4 (Janus)	Pre-contact archaeological occurrence	Not eligible	None
Mainline Route	Archaeological Occurrence #5 (Janus)	Post-contact archaeological occurrence	Not eligible	None
Mainline Route	Archaeological Occurrence #6 (Janus)	Pre-contact archaeological occurrence	Not eligible	None
Mainline Route	Archaeological Occurrence #7 (Janus)	Pre-contact archaeological occurrence	Not eligible	None

Table 4.5-2 Archaeological Sites and Occurrences Identified for the Florida Southeast Connection Project				
Facility Name	Site Name	Site Type	Recommended NRHP Status	Recommended Action
Mainline Route	Archaeological Occurrence #8 (Janus)	Pre-contact archaeological occurrence	Not eligible	None
Mainline Route	Archaeological Occurrence #9 (Janus)	Post-contact archaeological occurrence	Not eligible	None
Mainline Route	Archaeological Occurrence #10 (Janus)	Post-contact archaeological occurrence	Not eligible	None
Mainline Route	Archaeological Occurrence #11 (Janus)	Pre-contact archaeological occurrence	Not eligible	None
Access Road	Archaeological Occurrence #12 (Janus)	Pre-contact archaeological occurrence	Not eligible	None
Mainline Route	Archaeological Occurrence #13 (Janus)	Pre-contact archaeological occurrence	Not eligible	None
Staging Area	Archaeological Occurrence #1 (Cardno)	Pre-contact archaeological occurrence	Not eligible	None
Mainline Route	Archaeological Occurrence #2 (Cardno)	Pre-contact archaeological occurrence	Not eligible	None

Table 4.5-3 Historic Architectural/Industrial Properties Identified for the Florida Southeast Connection Project				
Facility Name	Site Name	Site Type	Recommended NRHP Status	Recommended Action
Mainline Route	8MT1514 (Seaboard Airline Railroad/CSX Railroad)	Railroad	Eligible	Avoidance through bore method
Mainline Route	8MT1526 (Williamson Levee and Canal Resource Group)	Levee and Canal	Not eligible	None
Mainline Route	8MT1597 (SR 714/Martin Highway)	Road	Not eligible	None
Mainline Route	8OB343 (43193 Highway 441 North, Okeechobee)	Building	Not eligible	None
Mainline Route	8OB344 (32601 Highway 441 North, Okeechobee)	Building	Not eligible	None
Mainline Route	8OB345 (32495 Highway 441 North, Okeechobee)	Building	Not eligible	None
Mainline Route	8OS2518 (Log Branch Canal I)	Canal	Not eligible	None
Mainline Route	8OS2519 (Log Branch Canal II)	Canal	Not eligible	None
Mainline Route	8PO3863 (Keen's Ranch)	Building	Not eligible	None
Mainline Route	8PO6449 (Seaboard Coastline Railroad Grade)	Railroad grade	Not eligible	None
Mainline Route	8PO7056 (Packingham Slough Canal and Levee)	Canal and Levee	Not eligible	None
Mainline Route	8PO7057 (Buttermilk Slough Canal)	Canal	Not eligible	None
Mainline Route	8PO7058 (Packingham/Buttermilk Slough Canal, Levee Resource Group)	Canal and Levee	Not eligible	None
Mainline Route	8PO7154/8OS2567 (Old Kissimmee Road/Old Tampa Road)	Road	Unassessed/ Insufficient Information	Avoidance through bore method
Mainline Route	8PO7219/8OS2540 (South Florida Railroad/CSX Railroad)	Railroad	Eligible	Avoidance through bore method
Mainline Route	8PO7718 (131 Parker Road, Loughman)	Building	Not eligible	None
Mainline Route	8PO7719 (3801 US Highway 17/92 North, Davenport)	Building	Not eligible	None
Mainline Route	8PO7720 (3426 US Highway 17/92 North, Davenport)	Building	Not eligible	None
Mainline Route	8PO7721 (6181 Miss Mary Ann Road, Haines City)	Building	Not eligible	None

Table 4.5-3 Historic Architectural/Industrial Properties Identified for the Florida Southeast Connection Project				
Facility Name	Site Name	Site Type	Recommended NRHP Status	Recommended Action
Mainline Route	8PO7722 (6614 Hatchineha Road, Haines City)	Building	Not eligible	None
Mainline Route	8PO7723 (131 Church Road, Lake Wales)	Building	Not eligible	None
Mainline Route	8PO7724 (9113 US 60 East, Lake Wales)	Building	Not eligible	None
Mainline Route	8SL1658 (SR 70/Okeechobee Road)	Road	Not eligible	None
Mainline Route	8SL3014 (FEC Railroad-Lake Harbor Branch)	Railroad	Eligible	Avoidance through bore method
Mainline Route	8SL3193 (C-23 [County Line] Canal)	Canal	Not eligible	None

APPENDIX 4A

Agency and Stakeholder Correspondence



Mr. Fred Dayhoff
Section 106 and NAGPRA Coordinator
Miccosukee Tribe of Indians of Florida
HC 61
SR Box 68 Old Loop Road
Ochopee, FL 34141

February 3, 2014

RE: Florida Southeast Connection natural gas pipeline

Dear Mr. Dayhoff:

In late July 2013, Florida Southeast Connection, LLC was selected to design, construct, and operate a new underground 126-mile natural gas pipeline, known as the Florida Southeast Connection (FSC), to be built through Osceola, Polk, Okeechobee, St. Lucie, and Martin Counties in Florida. The FSC pipeline will connect with a new proposed hub for natural gas transportation, near Intercession City, in Osceola County, to Florida Power & Light (FPL)'s Martin Clean Energy Center near Indiantown, in Martin County. FSC, FPL and NextEra Energy Resources are wholly-owned subsidiaries of NextEra Energy Inc.

Federal Energy Regulatory Commission (FERC) pre-application meetings are underway and a number of public open houses have been held. On behalf of the permitting team, I wanted to make you aware of the project, and provide you some information about the proposed pipeline route, cultural resource assessment plans and initial results if they are interested. I have attached some background information about the project that includes a map of the proposed route. The project website is <http://www.floridasoutheastconnection.com/>

As proposed, the project corridor is located outside of any modern tribal reservation boundaries, in the following Township, Range, and Sections:

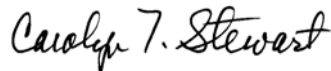
Section 36 of Township 25 South, Range 27 East
Section 31 of Township 25 South, Range 27 East
Sections 1, 12, 13, 23-25, and 36 of Township 26 South, 27 Range East
Sections 6,7,19,30, and 31 of Township 26 South, Range 28 East
Sections 1,12,13,24,25, and 36 of Township 27 South, Range 27 East
Section 6,7,18,19, and 30 of Township 27 South, Range 28 East
Sections 1,12,13,24,25, and 36 of Township 28 South, Range 27 East
Sections 1, 12, 13, and 24 of Township 29 South, Range 27 East
Sections 7,18-20,29,30,32, and 33 of Township 29 South, Range 28 East
Sections 2-5,and 10-12 of Township 30 South, Range 28 East
Sections 7-9,13-16, and 24 of Township 30 South, Range 29 East
Section 19,29,30, and 32-36 of Township 30 South, Range 30 East

Mr. Fred Dayhoff
Section 106 and NAGPRA Coordinator
Miccosukee Tribe of Indians of Florida
HC 61
SR Box 68 Old Loop Road
Ochopee, FL 34141

Sections 31 and 32 of Township 30 South, Range 31 East
Sections 1-4 of Township 31 South, Range 30 East
Sections 3-6,8, and 10-12 of Township 31 East, Range 31 South
Sections 7,15-18,22,23,25, and 26 of Township 31 South, Range 32 East
Sections 29-34 of Township 31 South, Range 33 East
Sections 1-3 of Township 32 South, Range 33 East
Sections 5,6,8-11,14,15,23-25, and 36 of Township 32 South, Range 34 East
Section 1 of Township 33 South, Range 34 East
Sections 6-8,17,18,20,21,28,33, and 34 of Township 33 South, Range 35 East
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We acknowledge and understand Tribes' goals of preserving, documenting, and promoting their cultural heritage and respectfully request to engage with you and your staff on this important effort. Please let me know if you would like to meet with representatives of FSC to discuss the project, in advance of the formal Section 106 process, which be coordinated by the FERC. You can reach me at 480 236-5896, or via email, at Carolyn.Stewart@NextEraEnergy.com.

Regards,



Carolyn T. Stewart
Director, Tribal Relations



Mr. Emman Spain
Tribal Historic Preservation Officer
Muscogee (Creek) Nation
P.O. Box 580
Okmulgee, OK 74447

February 3, 2014

RE: Florida Southeast Connection natural gas pipeline

Dear Mr. Spain:

In late July 2013, Florida Southeast Connection, LLC was selected to design, construct, and operate a new underground 126-mile natural gas pipeline, known as the Florida Southeast Connection (FSC), to be built through Osceola, Polk, Okeechobee, St. Lucie, and Martin Counties in Florida. The FSC pipeline will connect with a new proposed hub for natural gas transportation, near Intercession City, in Osceola County, to Florida Power & Light (FPL)'s Martin Clean Energy Center near Indiantown, in Martin County. FSC, FPL and NextEra Energy Resources are wholly-owned subsidiaries of NextEra Energy Inc.

Federal Energy Regulatory Commission (FERC) pre-application meetings are underway and a number of public open houses have been held. On behalf of the permitting team, I wanted to make you aware of the project, and provide you some information about the proposed pipeline route, cultural resource assessment plans and initial results if they are interested. I have attached some background information about the project that includes a map of the proposed route. The project website is <http://www.floridasoutheastconnection.com/>

As proposed, the project corridor is located outside of any modern tribal reservation boundaries, in the following Township, Range, and Sections:

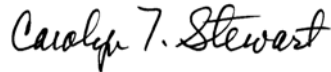
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Mr. Emman Spain
Tribal Historic Preservation Officer
Muscogee (Creek) Nation
P.O. Box 580
Okmulgee, OK 74447

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Regards,



Carolyn T. Stewart
Director, Tribal Relations



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

February 3, 2014

RE: Florida Southeast Connection natural gas pipeline

Dear Mr. Thrower:

In late July 2013, Florida Southeast Connection, LLC was selected to design, construct, and operate a new underground 126-mile natural gas pipeline, known as the Florida Southeast Connection (FSC), to be built through Osceola, Polk, Okeechobee, St. Lucie, and Martin Counties in Florida. The FSC pipeline will connect with a new proposed hub for natural gas transportation, near Intercession City, in Osceola County, to Florida Power & Light (FPL)'s Martin Clean Energy Center near Indiantown, in Martin County. FSC, FPL and NextEra Energy Resources are wholly-owned subsidiaries of NextEra Energy Inc.

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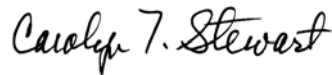
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Mr. Robert Thrower
Acting Tribal Historic Preservation Officer
Poarch Band of Creek Indians
5811 Jack Springs Road
Atmore, AL 36502

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Regards,



Carolyn T. Stewart
Director, Tribal Relations



Ms. Natalie Harjo
Tribal Historic Preservation Officer
Seminole Nation of Oklahoma
P.O. Box 1498
Wewoka, OK 74884

February 3, 2014

RE: Florida Southeast Connection natural gas pipeline

Dear Ms. Harjo:

In late July 2013, Florida Southeast Connection, LLC was selected to design, construct, and operate a new underground 126-mile natural gas pipeline, known as the Florida Southeast Connection (FSC), to be built through Osceola, Polk, Okeechobee, St. Lucie, and Martin Counties in Florida. The FSC pipeline will connect with a new proposed hub for natural gas transportation, near Intercession City, in Osceola County, to Florida Power & Light (FPL)'s Martin Clean Energy Center near Indiantown, in Martin County. FSC, FPL and NextEra Energy Resources are wholly-owned subsidiaries of NextEra Energy Inc.

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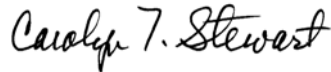
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Ms. Natalie Harjo
Tribal Historic Preservation Officer
Seminole Nation of Oklahoma
P.O. Box 1498
Wewoka, OK 74884

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Regards,



Carolyn T. Stewart
Director, Tribal Relations

Webb, Paul

From: Stewart, Carolyn <Carolyn.Stewart@nexteraenergy.com>
Sent: Tuesday, March 11, 2014 7:45 PM
To: Tessier, John
Subject: FW: Proposed construction of pipeline by Florida Southeast connection.

FYI

Carolyn Stewart
Director, Tribal Relations
NextEra Energy

Carolyn.Stewart@NextEraEnergy.com
Mobile: 480 236-5896

From: Emman Spain [mailto:ESpain@MCN-NSN.gov]
Sent: Monday, February 24, 2014 4:54 PM
To: Stewart, Carolyn
Subject: Proposed construction of pipeline by Florida Southeast connection.

Ms. Stewart,

The Muscogee (Creek) Nation would like to meet with Florida Southeast Connection, however, it is the Federal Energy Regulatory Commission's obligation as the lead Federal Agency to consult with the Federally Recognized Tribes with interest in the project areas.

Emman Spain, THPO
Muscogee (Creek) Nation



March 10, 2013

Mr. Robert F. Bendus
Director, and State Historic Preservation Officer
Florida Division of Historical Resources
R.A. Gray Building
500 South Bronough Street
Tallahassee, Florida 32399

Attn: Timothy Parsons, Ph.D.

Re: Cultural Resource Assessment Survey
Florida Southeast Connection Natural Gas Pipeline
Osceola, Polk, Okeechobee, St. Lucie, and Martin Counties
Florida Southeast Connection - DEP ERP #0324813001

Dear Mr. Bendus:

Please find enclosed the Cultural Resource Assessment Survey (CRAS) report conducted for the Florida Southeast Connection (FSC) Natural Gas Pipeline (the Project).

The Project originates in Osceola County and runs approximately 127 miles south and east through the counties of Osceola, Polk, Okeechobee, St. Lucie, and Martin where it terminates at Florida Power & Light Company's (FPL) Martin Clean Energy Center near Indiantown. Approximately 86 miles of the pipeline will be located adjacent to highways, county roads, and other roadways. Approximately 16 additional miles will be collocated within or adjacent to existing utility corridors. The remaining 25 miles of the pipeline will be located within citrus groves, unimproved pasture, and other undeveloped lands.

The objective of this survey was to identify any cultural resources located within the Area of Potential Effect (APE) for the Project and assess their eligibility for listing in the National Register of Historic Places (National Register) according to the criteria set forth in 36 CFR Section 60.4.

Enclosed you will find the following documents:

- One unbound copy of the CRAS document (March 2014);
- One CD containing a .pdf of the CRAS document, an electronic version of the FMSF forms, survey log sheet, and photographs of the identified historic resources;
- One set of unbound FMSF forms; and
- One unbound survey log sheet.

Florida Southeast Connection, LLC

700 Universe Blvd., Juno Beach, FL 33408

The CRAS was conducted in accordance with Section 106 of the *National Historic Preservation Act (NHPA) of 1966* (Public Law 89-665, as amended) as implemented by 36 CFR 800 (*Protection of Historic Properties*, effective January 2001); Chapter 267, *Florida Statutes (Florida Historical Resources Act)*; the minimum field methods, data analysis, and reporting standards embodied in the Florida Division of Historical Resources' (FDHR) *Cultural Resource Management Standards and Operational Manual* (February 2003); and the Federal Energy Regulatory Commission, Office of Energy Projects (OEP) *Guidelines for Reporting on Cultural Resources Investigations for Pipeline Projects* (December 2002). All work conformed to professional guidelines set forth in the *Secretary of Interior's Standards and Guidelines for Archaeology and Historic Preservation* (48 FR 44716, as amended and annotated) and Chapter 1A-46 (*Archaeological and Historical Report Standards and Guidelines*), Florida Administrative Code. Key personnel meet the *Secretary of the Interior's Professional Qualification Standards* (48 FR 44716) for archaeology, history, architecture, architectural history, or historic architecture.

The CRAS of the Project identified 25 archaeological sites, including 18 precontact period sites and seven historic period sites. None of the sites are considered to be eligible for listing in the National Register, and no further work is recommended within the currently proposed APE.

A total of 25 historic resources were identified, including 11 historic buildings and 14 historic linear resources. Three of the historic linear resources, the South Florida Railroad/CSX Railroad (8PO7219/8OS2540), FEC Railroad-Lake Harbor Branch (8SL3014), and the Seaboard Airline Railroad/CSX Railroad (8MT1514), have been previously determined to be National Register-eligible by SHPO. FSC proposes to use a bore method to install the pipeline underneath these resources, thereby avoiding impacts.

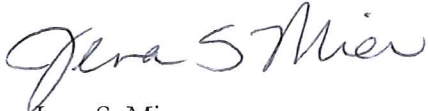
The SHPO also previously noted there is insufficient evidence to evaluate the eligibility of one of the historic resources, Old Kissimmee Road/Old Tampa Road (8PO7154/8OS2567). During this survey, there was also insufficient information to evaluate the significance of this resource due to the small segments located within the APE and lack of overall context that could be observed. However, FSC proposes using a bore to install the pipeline underneath this resource, thereby avoiding impacts. Based on the use of this method, additional research is not needed to evaluate the significance of the portion of Old Kissimmee Road/Old Tampa Road (8PO7154/8OS2567) within the APE.

The remaining 21 historic resources are ineligible for listing in the National Register individually or as part of a historic district. Based on the results of this survey, no further work is recommended for these resources.

Robert Bendus
March 10, 2014
Page 3

If you have questions regarding the Project or if I may be of assistance, please contact me at 561-691-2209 or Jena.Mier@nee.com.

Sincerely,



Jena S. Mier
Environmental Project Manager
Florida Southeast Connection

Enclosures

cc: Kathleen Hoffman, Janus Research
Phil Simpson, ECT

The Director of the Florida Division of Historical Resources, State Historic Preservation Officer finds the attached Cultural Resource Assessment Survey complete and sufficient and concurs with the recommendations and findings provided in this cover letter for SHPO/DHR Project File Number _____.

Robert F. Bendus
Director, and State Historic Preservation Officer
Florida Division of Historical Resources

Date



FLORIDA DEPARTMENT of STATE

RICK SCOTT
Governor

KEN DETZNER
Secretary of State

April 10, 2014

Ms. Jena S. Mier
Environmental Project Manager
Florida Southeast Connection
700 Universe Boulevard
Juno Beach, Florida 33408

Re: DHR Project File No.: 2014-1311 / Received by DHR: March 11, 2014
*Cultural Resource Assessment Survey of the Florida Southeast Connection Natural Gas Pipeline,
Osceola, Polk, Okeechobee, St. Lucie, and Martin Counties*

Dear Ms. Mier:

Our office received and reviewed the above referenced 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).

From July to October 2013, Janus Research conducted an archaeological and historical Phase I survey of the Florida Southeast Connection Natural Gas Pipeline project area on behalf of Florida Southeast Connection, LLC. Janus investigated 25 archaeological sites, 11 historic structures, and 14 historic linear resources within the project tract during this investigation. Five previously recorded sites (8PO4015, 8PO4016, 8PO4020, 8PO4021, and 8SL1114) and three historic resources (8PO7155, 8OS2514, and 8MT370) could not be relocated by Janus.

Eleven of these archaeological sites (8PO3968, 8PO3970-8PO3975, 8PO4019, 8PO4022, 8PO7041, and 8PO7160) were previously determined to be ineligible for the NRHP. Janus determined that sites 8PO7704, 8PO7707-8PO7717, 8PO7748, and 8PO7749 are ineligible for listing in the NRHP. Site 8SL1114 was not relocated, and may contain human remains.

Three historic linear resources (8PO7219/8OS2540, 8SL3014, and 8MT1514) were previously determined to be eligible for the NRHP. Eight historic resources (8PO3863, 8PO7056, 8PO7057, 8OS2518, 8OS2519, 8SL1658, 8MT1526, and 8MT1597) were previously determined to be ineligible for the NRHP. Janus determined that 8PO6449, 8PO7058, 8PO7718, 8PO7719-8PO7724, 8OB343-8OB345, and 8SL3193) are ineligible for listing in the NRHP. Janus had insufficient information to assess the eligibility of 8PO7154/8OS2567.

Florida Southeast Connection proposes to use a bore method to install the pipeline underneath 8PO7154/8OS2567, 8PO7219/8OS2540, 8SL3014, and 8MT1514 to avoid adverse effects to these resources.



Ms. Mier
April 10, 2014
Page 2

Based on the information provided, our office concurs with these determinations and finds the submitted report to be complete and sufficient in accordance with Chapter 1A-46, *Florida Administrative Code*.

If I can be of any further help, or if you have any questions about this letter, please feel free to contact me at Sarah.Liko@DOS.MyFlorida.com, or by phone at 850.245.6333.

Sincerely

A handwritten signature in blue ink, appearing to read "Robert F. Bendus". The signature is stylized and includes a large, sweeping flourish at the end.

Robert F. Bendus, Director
Division of Historical Resources
and State Historic Preservation Officer

From: Emman Spain
Sent: Monday, April 07, 2014 8:18 AM
To: 'Pipeline-Project.SharedMailbox@nextteraenergy.com'
Cc: Johnnie Jacobs; Odette Freeman
Subject: Florida Southeast Connection pipeline project.

Dear Sir,

The Muscogee (Creek) Nation has received notice of the Florida Southeast Connection, LLC, proposed pipeline project. The project consisting of 127 miles of underground pipeline will be traversing our area of concern that contains a high potential to impact our cultural resources. There remains many questions that we believe should be addressed before any ground disturbing activities begin. We propose that FERC as the lead federal agency for this project consult with the Muscogee (Creek) Nation and all other tribes that have an interest within the project corridor. Whether by a face to face consultation or by teleconference, we believe it is imperative that consultation take place as per NHPA 106. Please feel free to call me or email me when a consultation can be arranged. Thank you.

Emman Spain, Tribal Historic Preservation Officer
Muscogee (Creek) Nation
P. O. Box 580
Okmulgee, OK 74447
(918) 732-7678
espain@mcn-nsn.gov

APPENDIX 4B

Cultural Resource Survey Reports

**PRIVILEGED AND CONFIDENTIAL
BOUND SEPARATELY IN VOLUME II**

APPENDIX 4C

Procedures Guiding the Discovery of Unanticipated Cultural Resources and Human Remains

APPENDIX 4C

PROCEDURES GUIDING THE DISCOVERY OF UNANTICIPATED HISTORIC PROPERTIES AND HUMAN REMAINS: POST-REVIEW DISCOVERIES (36 CFR 800.13)

FLORIDA SOUTHEAST CONNECTION PROJECT

Osceola, Polk, Okeechobee, St. Lucie, and Martin Counties, Florida

FERC Docket No. PF14-2-000

Prepared for

**FLORIDA SOUTHEAST CONNECTION, LLC
700 Universe Blvd.
Juno Beach, Florida 33408**

Prepared by

**TRC ENVIRONMENTAL CORPORATION
4155 Shackleford Road
Norcross, Georgia 30093**

April 8, 2014

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1.0 INTRODUCTION

Florida Southeast Connection, LLC (FSC), a subsidiary of NextEra Energy, Inc., is committed to the protection and preservation of cultural resources in accordance with federal and state legislation. FSC recognizes that despite intensive cultural resource field investigations that are typically performed prior to project construction, it is nonetheless possible that potentially significant archaeological resources could be discovered during project construction or maintenance activities, particularly during excavation. FSC also recognizes the requirement for compliance with federal and state laws and regulations regarding the treatment of human remains, if any are discovered.

As such, procedures guiding the unanticipated discovery of cultural resources and human remains detailed herein (“Procedures”) were developed on behalf of FSC and in consultation with the Florida Division of Historical Resources/the Florida State Historic Preservation Officer (“Florida SHPO”). These Procedures summarize the approach that FSC (and/or its contractors or consultants) will use to address unanticipated discoveries of archaeological resources during construction activities within the Project Area of Potential Effects (“APE”).

The purpose of archaeological investigations during the planning of natural gas pipeline projects is to determine the presence or absence of historic properties within a project area. These archaeological investigations are conducted in accordance with standards set forth in the Federal Energy Regulatory Commission (“FERC”) Office of Pipeline Regulation’s *Guidelines for Reporting on Cultural Resources Investigations* (2002), pursuant to 18 CFR 157.206 and Appendix II of Subpart F, which require actions taken under sections 3 and 7 of the Natural Gas Act (Part 380, Appendix A) to comply with the National Environmental Policy Act of 1969 (“NEPA”) and Section 106 of the National Historic Preservation Act of 1966 (16 USC 470f), as amended (1976, 1980, 1992, 1999), and implementing regulations of the Advisory Council on Historic Preservation (“ACHP”) (36 CFR 800), specifically, those procedures regarding “post-review discoveries” as outlined in 36 CFR 800.13. All work is undertaken pursuant to the *Secretary of the Interior’s Standards for Archaeology and Historic Preservation* (Federal Register 48:44716-44742 [1983]) and the applicable laws and regulations pertaining to the cultural resources and human remains of Florida.

2.0 STANDARDS/GUIDELINES AND LAWS/REGULATIONS FOR UNANTICIPATED HISTORIC PROPERTIES AND HUMAN REMAINS

These Procedures will be followed in the event any archaeological resources and/or human remains are encountered during construction of the FSC Project. The Procedures as set forth below are in accordance with the current standards and guidelines elaborated in the following standards/guidelines and laws/regulations:

2.1 Federal

- Section 106 of the National Historic Preservation Act of 1966, as amended (16 USC 470f)
- Secretary of the Interior’s Standards for Archeology and Historic Preservation (48 CFR 44716-42)
- ACHP: *Policy Statement Regarding Treatment of Burial Sites, Human Remains, and Funerary Objects*, Advisory Council February 23, 2007)
- FERC Office of Pipeline Regulation: *Guidelines for Reporting on Cultural Resources Investigations* (2002)

2.2 Florida

- Cultural Resource Management Standards and Operation Manual (Florida Division of Historical Resources 2003)
- Florida Statutes Title XVIII, Chapter 267 (*Florida Historical Resources Act*), Florida Statutes Title XLVI, Chapter 872.02 (Injuring or removing tomb or monument; disturbing contents of grave or tomb), 872.05 (Unmarked human burials)

3.0 CONSULTATION WITH CONSULTING PARTIES AND NATIVE AMERICAN GROUPS

As part of the FSC Project, FSC and the FERC have initiated contact with the Florida SHPO and federally recognized Native American groups. Contact information for the SHPO and Native American groups is included in Appendix A. In the event that any archaeological resources and/or human remains are encountered during construction of the Project, FSC will contact the relevant parties.

4.0 UNANTICIPATED ARCHAEOLOGICAL AND HUMAN REMAINS DISCOVERY PROTOCOL

4.1 Cultural Resources Training

The identification of archaeological resources requires basic training in order to recognize potential sites. FSC requires that its employees and contractors have a basic understanding of the nature of cultural resources. As a result, all FSC inspectors and construction contractor personnel will be given basic training in cultural resource site recognition. The Procedures will be included in all relevant construction contractor documents.

The purpose of this training will be to review FSC's commitments regarding cultural resources compliance and to provide an overview of the general cultural history of the various Project areas, so that both FSC and construction personnel will be aware of the kinds of archaeological resources that may be encountered in the field. In addition, the training program will emphasize the exact procedures to be followed, as outlined in these Procedures, regarding actions to be taken and notification required in the event of a significant site discovery, such as a discovery of human remains, during construction.

The training will be designed to ensure that FSC personnel and construction contractors understand the extent of the archaeological survey program that has been performed for the Project and are fully aware of the distinction between sites that have been located and "cleared" under the cultural resource program (i.e., determined to be non-significant after different levels of investigation or sites that have already undergone data recovery) and new discoveries during the construction process.

4.2 Notification Procedures

The following details the plan that will be followed in the event that new cultural resource sites or human remains are discovered during the construction process.

The protocol to follow in the advent of an unanticipated discovery contains the following steps:

- The Contractor will immediately notify the Cultural Resource Monitor (“CRM”) or Lead Environmental Inspector (“EI”) (or Chief Inspector, if the Lead EI or CRM is not immediately available) of an unanticipated discovery.
- The Lead EI or Chief Inspector will direct a *Stop Work* order to the Contractor’s Site Foreman to flag or fence off the archaeological discovery location and direct the Contractor to take measures to ensure site security. Any discovery made on a weekend or overnight hours will be protected until all appropriate parties are notified of the discovery. The Contractor will not restart work in the area of the find until the Chief Inspector has granted clearance.
- The Lead EI will indicate the location and date of the discovery on the project plans and will notify the CRM, who will undertake a site visit or otherwise coordinate an on-site archaeological consultation.
- The CRM will conduct a preliminary assessment of the find to determine if it is a potentially significant archaeological site.
- If the find is determined by the CRM to not be a potentially significant archaeological site, the Chief Inspector will notify the Contractor’s Work Foreman to resume work.
- If the CRM determines the find is a potentially significant archaeological site, FSC will immediately notify the FERC and the Florida SHPO of that fact; notifications will be made by FSC within 8 hours.
- FSC will direct the CRM to begin a more detailed assessment of the find’s significance and the potential project effects. The CRM will dispatch an archaeological team to the site to determine the nature and extent of the archaeological deposits; FSC and the CRM will ensure that the team has full access to the required site area and be accommodated by the Contractor to complete this investigation in the most expeditious manner possible.
- The CRM will notify FSC and the FERC of the team’s findings and recommendations, whether the archaeological deposits are assessed not to be significant, and request approval for construction to proceed, or describe a proposed scope of work for evaluating the significance of the find and evaluating project effects.
- The CRM will convey this information to the Florida SHPO and FERC, who will provide information to Native American tribes as appropriate. At the discretion of the FERC, the CRM, and the Florida SHPO, a meeting may be held to discuss options and recommendations.
- If the archaeological deposits are determined to be a significant archaeological resource and it is threatened by further project development, the CRM, at the direction of the FERC and in consultation with the Florida SHPO, Native American tribes, and relevant consulting parties, will develop an archaeological mitigation plan.
- Upon direction by the FERC, the Florida SHPO, and FSC, the CRM will implement the archaeological mitigation plan.
- A meeting or site visit may be held with the FERC, FSC, the Florida SHPO, the CRM, and other appropriate parties once the field investigation for site mitigation has been completed to review the work accomplished.

- Duration of any work stoppages will be contingent upon the significance of the identified archaeological resource(s) and consultation with the FERC, FSC, Florida SHPO, the CRM, and other appropriate parties to determine the appropriate measures to avoid, minimize, or mitigate any adverse effects to the site.

4.3 Unanticipated Discovery of Human Remains Protocol

FSC will treat any human remains encountered during the FSC Project in a manner guided by the ACHP's *Policy Statement Regarding Treatment of Burial Sites, Human Remains, and Funerary Objects* (2007) and by the relevant Florida laws and guidelines. In the event that human remains are discovered during construction of the Project, FSC will implement the following Procedures:

- The Contractor will immediately notify the CRM or Lead EI (or Chief Inspector, if the Lead EI or CRM is not immediately available) of an unanticipated discovery.
- The Lead EI or Chief Inspector will direct a *Stop Work* order to the Contractor's Site Foreman to flag or fence off the archaeological discovery location and direct the Contractor to take measures to ensure site security. Any discovery made on a weekend or overnight hours will be protected until all appropriate parties are notified of the discovery. The Contractor will not restart work in the area of the find until the Chief Inspector has granted clearance.
- The Lead EI or the CRM will indicate the location and date of the discovery on the project plans and notify FSC and the FERC.
- At all times human remains must be treated with the utmost dignity and respect. Human remains and/or associated artifacts will be left in place and not disturbed. No skeletal remains or materials associated with the remains will be collected or removed until appropriate consultation has taken place and a plan of action has been developed.
- FSC will immediately notify the FERC and the Florida SHPO of the find, as well as the CRM, the Florida State Archaeologist, the local police, and appropriate Medical Examiner's Office.
- FSC will provide an opportunity for local law enforcement and, if necessary, a representative of the Medical Examiner's Office, to visit and inspect the site to determine whether the site constitutes a crime scene.
- If it is declared a criminal matter, the CRM will have no further involvement and the decision to declare it a *Cleared Site* for construction will be made by the appropriate legal authorities.
- If the find is determined not to be a criminal matter, the CRM, under the direction of the Florida State Archaeologist and FERC, will comprehensively evaluate the potential to avoid and/or minimize the Project's effects to the human remains. If no feasible avoidance plan can be developed to allow the human remains to stay in place, at the direction of FERC and the Florida State Archaeologist, FSC and the CRM, will develop a site-specific disinterment/re-interment plan.
- If human remains are determined to be Native American, the remains will be left in place and protected from further disturbance until a site-specific work plan for their avoidance or removal can be generated. Please note that avoidance is the preferred choice of the SHPO and Native American groups. The CRM will contact the FERC, and the State of Florida Archaeologist who

will then coordinate with the appropriate Native American groups to develop a plan of action that is consistent with applicable federal and state laws and regulations.

- If human remains are determined to be non-Native American, the remains will be left in place and protected from further disturbance until a site-specific work plan for their avoidance or removal can be generated. Please note that avoidance is the preferred choice of the Florida State Archaeologist. Consultation with the Florida State Archaeologist, SHPO and other appropriate parties will be required to determine a plan of action.

4.4 Provisions for Site Security

Provisions must be made to secure any area containing, or suspected of containing, human remains from unauthorized entry to the site. To this end, the Procedures require that security fencing with locked gates be erected at the site once the presence of human remains has been ascertained and the dimensions of the cemetery within the APE have been established. The area to be fenced will be large enough to stage and complete the disinterment project. To ensure security during off-hours, a private security firm will be hired for the time during which burials are still present at the site; once they have been completely removed, the security fencing will be removed and the security patrols will cease.

Security will also be extended to the excavation and removal of the human remains. Temporary work shelters will be erected over individual (or small groups of) graves while they are in the process of being excavated and their remains removed. The shelters will permit adequate interior work space, but will prevent any outside persons from viewing the remains or the disinterment process. The shelters will also permit the disinterment team to work in most, if not all, weather conditions.

5.0 FEDERAL AGENCY CONTACTS

Federal Energy Regulatory Commission
Office of Energy Projects
825 N. Capitol Street, N.E.
Washington, DC 20426

Contact: OEP/DG2E/Gas Branch 3
Jessica Harris, Environmental Project Manager
Tel: (202) 502-6805
Email: jessica.harris@ferc.gov

Ellen Armbruster, Archaeologist
Tel: (202) 502-8097
Email: ellen.armbruster@ferc.gov

6.0 FLORIDA STATE HISTORIC PRESERVATION OFFICE CONTACTS

Florida Department of State, Division of Historical Resources
500 South Bronough Street
Tallahassee, Florida 32399

Contact:
Mary Glowacki, Ph.D., RPA, State Archaeologist
Tel: (813) 245-6319

Email: Mary.Glowacki@DOS.MyFlorida.com

Tim Parsons, Ph.D., RPA

Tel: (813) 245-6333

Email: Timothy.Parsons@DOS.MyFlorida.com

7.0 MEDICAL EXAMINER CONTACTS

Osceola County

J. Garavaglia, M.D., Medical Examiner

Sheri.Blanton@ocfl.net

Tel: 407-836-9400

Polk County

S. Nelson, M.A., M.D., Medical Examiner

StephenNelson@polk-county.net

Tel: (863) 298-4600

Okeechobee, St. Lucie, and Martin counties

R. Mittleman, M.C.

lcason@ircc.edu

Tel: (772) 464-7378

8.0 LAW ENFORCEMENT CONTACTS

First attempt to contact the Sheriff's Department as listed below; if they cannot be reached, call 911.

Osceola County

Bob Hansell - Sheriff

2601 Irlo Bronson Highway

Kissimmee, FL 34744

Tel: (407) 348-1100 / 2222

Fax: (407) 348-1115

Email: dbat@osceola.org

Polk County

Grady Judd - Sheriff

1891 Jim Keene Blvd

Winter Haven, FL 33880-8010

Tel: (863) 298-6200

Fax: (863) 298-6518

Email: gjudd@polksheriff.org

Okeechobee County

Paul C. May - Sheriff

504 North West 4th Street

Okeechobee, FL 34972-2502

Tel: (863) 763-3117

Fax: (863) 763-6366

St. Lucie County

Ken J. Mascara - Sheriff
4700 West Midway Road
Fort Pierce, FL 34981
Tel: (772) 462-7300

Martin County

William D. Snyder- Sheriff
800 SE Monterey Road
Stuart, FL 34994
Tel: (772) 220-7000
Tel: (772) 220-7170 (after hours)

9.0 FEDERALLY RECOGNIZED TRIBAL CONTACTS

Miccosukee Tribe of Indians of Florida

Fred Dayhoff
Section 106 and NAGPRA Coordinator
HC 61 Box 68 Old Loop Road
Ochopee, FL 34141
(239) 695-4360
No email

Muscogee (Creek) Nation of Oklahoma

Emman Spain, THPO
PO Box 580
Okmulgee, OK 74447
(918) 732-7600
espain@muscogeenation-nsn.gov

Poarch Band of Creek Indians

Robert Thrower, THPO
5811 Jack Springs Road
Atmore, AL 36502
(251) 368-4502
rthrower@pci-nsn.gov

Seminole Nation of Oklahoma

Natalie Harjo, Historic Preservation
PO Box 1498
Wetumka, OK 74884
(405) 257-7205

Seminole Tribe of Florida

Dr. Paul N. Backhouse, THPO
30290 Josie Billie Hwy, PMB 1004
Clewiston, FL 33440
(863) 983-6549 x 2052
paulbackhouse@semtribe.com