



U.S. Department
of Transportation

1200 New Jersey Avenue, SE
Washington, DC 20590

Federal Railroad
Administration

November 21, 2017

John M. Fowler
Executive Director
Advisory Council on Historic Preservation

Timothy Parsons, Ph.D., RPA
State Historic Preservation Officer
Florida Division of Historical Resources

Jason Kirk, P.E.
Colonel, U.S. Army
District Commander
Jacksonville District

P.J. Brown
Rear Admiral, U.S. Coast Guard
Seventh Coast Guard District

Re: Section 106 Programmatic Agreement
All Aboard Florida Intercity Passenger Rail Project Phase II Orlando to West Palm
Beach

Dear Mr. Fowler, Mr. Parsons, Mr. Kirk, and Mr. Brown:

The Federal Railroad Administration (FRA) is writing regarding the Section 106 Programmatic Agreement (PA) for the All Aboard Florida Intercity Passenger Rail Project Phase II Orlando to West Palm Beach, Florida, which was executed in August 2017 among the U.S. Army Corps of Engineers (Corps), U.S. Coast Guard (USCG), the Florida State Historic Preservation Officer (SHPO), All Aboard Florida Operations, LLC, and the Advisory Council on Historic Preservation (ACHP).

In accordance with Stipulation XIV of the PA, FRA is hereby notifying the Corps, USCG, Florida SHPO, and the ACHP that FRA concurs with the terms of the PA and intends to use the PA to fulfil its Section 106 responsibilities should FRA have an undertaking that falls within the scope of the PA, such as provision of financial assistance for construction of the rail project.

FRA appreciates the signatories including a stipulation in the PA that allows for its use by other federal agencies thereby improving the efficiency of the Section 106 review process, and we also

appreciate the coordination that has occurred to date among our agencies regarding the All Aboard Florida Intercity Passenger Rail Project.

Sincerely,

A handwritten signature in cursive script, appearing to read "Marlys Osterhues".

Marlys Osterhues
Chief, Environmental & Corridor Planning Division Office
of Railroad Policy and Development

cc: P. Michael Reiniger, Vice President, AAF Operations, LLC
Andrew Phillips, Project Manager USACE
Randall Overton, MPA, Bridge Management Specialist USCG
Charlene Vaughn, Assistant Director, Federal Permitting, Licensing, and Assistance
Section, ACHP
John Eddins, Program Analyst, ACHP
Laura Shick, Federal Preservation Officer, FRA
Michael Johnsen, Supervisory Environmental Protection Specialist, FRA

**PROGRAMMATIC AGREEMENT AMONG
U.S. ARMY CORPS OF ENGINEERS, U.S. COAST GUARD, THE FLORIDA STATE
HISTORIC PRESERVATION OFFICER, ALL ABOARD FLORIDA –
OPERATIONS, LLC, AND THE ADVISORY COUNCIL ON HISTORIC
PRESERVATION REGARDING COMPLIANCE WITH SECTION 106 OF THE
NATIONAL HISTORIC PRESERVATION ACT FOR THE ALL ABOARD
FLORIDA INTERCITY PASSENGER RAIL PROJECT PHASE II ORLANDO TO
WEST PALM BEACH, FLORIDA**

Preamble

The Federal Railroad Administration (FRA) served as the lead federal agency for National Environmental Policy Act (NEPA) compliance through publication of a Final Environmental Impact Statement (FEIS) on August 4, 2015 for the All Aboard Florida Intercity Passenger Rail Project (Project). On June 27, 2016, FRA notified the U.S. Army Corps of Engineers and U.S. Coast Guard, both cooperating agencies, that it would not be making a decision on All Aboard Florida - Operations, LLC (All Aboard Florida or AAF) application for Railroad Rehabilitation and Improvement Financing program (a/k/a "RRIF") to fund Phase II of the Project. FRA is not executing the draft Programmatic Agreement previously circulated with the Consulting Parties.

The applicant, AAF, will implement the Project through a phased approach. Phase I will provide passenger rail service along 66.5 miles of the Florida East Coast Railroad (FECR) Corridor connecting West Palm Beach, Fort Lauderdale, and Miami. AAF has obtained private financing for Phase I and is proceeding to implement Phase I. Phase II would extend service from West Palm Beach to Orlando, Florida.

AAF prepared an Environmental Assessment and Section 4(f) Statement (EA) for Phase I including stations and the vehicle maintenance facility (VMF). The EA was reviewed, revised, and adopted by FRA for public circulation and comment from October 31, 2012 through December 3, 2012. FRA issued a finding of no significant impact (FONSI) on January 31, 2013 for passenger rail service and rail and station improvements proposed by AAF within Phase I. Since the 2013 Phase I FONSI, AAF proposed and FRA has evaluated a new location for the Fort Lauderdale Station and issued a re-evaluation decision that found no significant difference from the location evaluated in the 2012 EA. Also since the 2013 Phase I FONSI, AAF proposed and FRA has evaluated a new location in West Palm Beach for the proposed Fort Lauderdale layover and maintenance facility. FRA issued a Supplemental EA and subsequently issued a FONSI for this element of Phase I in January 2015. FRA concluded in their 2012 EA that Phase I has independent utility from Phase II (that is, it could be advanced and serve a transportation need even if Phase II were not constructed).

The U.S. Army Corps of Engineers (Corps) also concluded that Phase I has independent utility of Phase II. The Corps issued single and complete Nationwide permit verifications (33 C.F.R. §325.5(c)(2)) for minor shoreline stabilization and loss of mangrove habitats required to implement bridge improvements associated with Phase I. See table 1 below for Department of the Army (DA) permit numbers and project locations.

DA Number	Mile Post	Waterway	Latitude (north)	Longitude (west)	City	County
SAJ-2013-00379	MP 304.05	C-51 Canal	26.6188	80.0590	Lake Worth	Palm Beach
SAJ-2013-00378	MP 311.45	C-16 Boynton Beach Canal	26.5254	80.0590	Boynton Beach	Palm Beach
SAJ-2013-00383	MP 326.58	Hillsboro River	26.3401	80.0814	Deerfield Beach	Palm Beach
SAJ-2013-00376	MP 337.91	N. Fork Middle River	26.1803	80.1372	Oakland Park	Broward
SAJ-2013-00382	MP 338.52	S. Fork Middle River	26.1531	80.1233	Ft. Lauderdale	Broward
SAJ-2013-00381	MP 353.74	Oleta River	25.9484	80.1506	Ojus	Miami-Dade

Table 1

The Corps issued Regional General Permit, SAJ-14, verifications (33 C.F.R. §325.5(c)(1)) to All Aboard Florida for the installation of fiber optic cable using directional drilling at nine (9) separate and distinct locations within Phase II (D-08 segment) of the Project area on October 14, 2015. The Corps later determined the work authorized by the Regional General Permit Verifications do not have independent utility and are a component of the Phase II Project. The Corps rescinded the Regional General Permit verifications dated October 14, 2015, and evaluated these actions as part of the Standard Permit (33 C.F.R. §325.5(b)(1)) evaluation for the Project.

Because Phase I has independent utility from Phase II, the Corps' scope of action is limited to the geographic limits of Phase II of the Project. The Corps is not considering the work proposed within Phase I or within the geographic boundaries within Orlando International Airport (OIA) in this evaluation. Work within OIA has been previously authorized under separate Department of the Army (DA) permits issued to Greater Orlando Aviation Authority. The U.S. Coast Guard (Coast Guard) is the federal regulatory agency responsible for approving the locations and plans for bridges over navigable waters of the United States.

As the initial lead federal agency for National Historic Preservation Act (NHPA) compliance, FRA was responsible for fulfilling the collective responsibilities under Section 106 (36 C.F.R. Part 800). As part of the FEIS, FRA 1) defined the Project as an "Undertaking" pursuant to 36 C.F.R. § 800.16; 2) defined an Area of Potential

Effects (APE) for the undertaking; 3) identified historic properties within the APE; 4) assessed adverse effects; and 5) attempted to resolve adverse effects.

The identified historic properties within this APE are documented in the Cultural Resources Assessment Reports (CRAR) dated September 2013 and May 2015. Florida State Historic Preservation Officer (SHPO) concurred on November 20, 2013 (amended May 21, 2015) that the properties identified in the CRAR and in the All Aboard Florida – Orlando to West Palm Beach, Florida Intercity Passenger Rail Project – Phase II Determination of Effects Report, Tables 1 through 8 (Attachment 1 to this PA) are listed in and/or eligible for listing in the National Register of Historic Places (NRHP). By letter dated December 29, 2015, SHPO provided an updated determination document concluding that they concur with FRA's finding that the proposed undertaking will have an effect, but not an adverse effect, on the FECR Linear Resource Group; and that the ground disturbing activities associated with construction have the potential to cause adverse effects to National Register-eligible archaeological sites. Conditioned upon the successful completion of the Programmatic Agreement (PA) and the implementation of the archaeological monitoring plan outlined in this PA, SHPO concurred with FRA's determination of "no adverse effect" to these archaeological sites.

By letter dated June 27, 2016, FRA informed the Corps and Coast Guard that it is not making a decision on AAF's Railroad Rehabilitation and Improvement Financing application at this time. FRA also concluded it is not executing the draft Programmatic Agreement (PA) developed June 24, 2016 in consultation with the Advisory Council on Historic Preservation (ACHP); Broward County; City of Stuart; City of Vero Beach; Indian River County; Indian River County Historical Society Inc.; Martin County; Old Vero Ice Age Sites Committee; St. Lucie County; and Town of St. Lucie Village for the undertaking.

By letter dated November 15, 2016, the Corps coordinated a second addendum, dated November 2016, to the Cultural Resources Assessment Report with SHPO. The CRAR addendum included: 1) a previously inaccessible private property parcel; 2) the revised footprint for the Cocoa Curve; and 3) various ponds and drainage features which were not evaluated in the original CRAR, by the FRA or SHPO. The Corps determined that no effect to historic properties are likely within the second addendum APE and no further survey work is required. By letter dated November 30, 2016, SHPO concurred with the determination made by the Corps that no historic properties are located in the areas surveyed in the second addendum and the proposed undertaking will have no effect on historic properties within the addendum's APE.

The Corps has independently evaluated and adopts the consultations completed between FRA, SHPO, and ACHP in accordance with 33 C.F.R. § 325 Appendix C Paragraph 2(c) and 36 C.F.R. § 800.2(a)(2). In accordance with the procedures at 33 C.F.R. § 325 Appendix C(1)(g) the Corps' Regulatory Program defines permit area as

those areas comprising water of the United States that will be directly and/or indirectly affected by the proposed undertaking. For the Phase II undertaking, the Corps has determined there is enough federal control to expand the permit area to align with the APE as previously defined by FRA. The Coast Guard has independently evaluated and adopted the bridge-related consultations completed between FRA, SHPO, and ACHP in accordance with 36 C.F.R. § 800.2(a)(2).

After considering comments received from the consulting parties and completing field assessments, the Corps has determined there are five (5) distinct archaeological sites within Phase II, North-South Corridor Area of Potential Effect (APE) for direct effects which were not documented in AAF's Cultural Resource Assessment Report or FRA's Determination of Effect. The sites have been coordinated with SHPO by letter dated May 2, 2017 and the sites are incorporated into Stipulation IV below and have been added to Table 8 of Attachment 1.

Therefore, the Corps and Coast Guard will execute this PA.

Basis for Agreement

The parties acknowledge the following basis for agreement:

WHEREAS, All Aboard Florida proposes to construct and operate the All Aboard Florida Intercity Rail Project Phase II, which would involve the institution of intercity passenger rail service between Orlando and West Palm Beach, Florida; and

WHEREAS, the Commandant, U.S. Coast Guard, is responsible for issuing Coast Guard Bridge Permits for the construction, replacement, or modification of bridges over the navigable waters of the United States pursuant to 33 C.F.R. Subchapter J; and

WHEREAS, the Jacksonville District of the Corps has received an application for a DA permit pursuant to Section 404 of the Clean Water Act (33 U.S.C. § 1344) (CWA) and Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. § 403) (RHA); and

WHEREAS, the Corps and the Coast Guard have determined the undertaking may directly and adversely affect designated historic properties and the Corps' public interest review requirements contained in 33 C.F.R. § 320.4; and

WHEREAS, the Corps has determined there is sufficient Federal control and responsibility to extend the Corps' scope of analysis to entirety of Phase II of the undertaking with the exception of bridges over navigable waters of the United States, for which the Coast Guard will remain the responsible Federal agency. Activities associated with the undertaking outside the waters of the United States within the Phase II APE are included in the permit area, because all of the

following tests are satisfied: Such activities would not occur but for the authorization of the work or structures within the waters of the United States; such activities are integrally related to the work or structures that would be authorized within waters of the United States; the work or structures that would be authorized are essential to the completeness of the overall undertaking; and such activities are directly associated with the work or structures to be authorized; and

WHEREAS, the undertaking would require certain permits from the Corps and the Coast Guard, the Corps and Coast Guard are complying with their applicable regulations implementing Section 106 (36 C.F.R. Part 800) which require that the Corps and Coast Guard take into account the effects of the undertaking on properties listed in or eligible for inclusion in the NRHP, and the Corps and Coast Guard have independently evaluated and adopted the Project Phase II consultations completed between FRA, SHPO, and ACHP dated November 20, 2013 (amended May 21, 2015); and

WHEREAS, the Corps and Coast Guard have consulted with the Florida Division of Historical Resources (FDHR), which is the SHPO, under 36 C.F.R. § 800.2(c)(1); and

WHEREAS, the construction of the undertaking will involve the following: (1) the removal and replacement of the Eau Gallie River Bridge (Florida Master Site File Number 8BR3058) and St. Sebastian River Bridge (Florida Master Site File Numbers 8BR3062/8IR1569), which are individually eligible for listing in the NRHP; (2) rehabilitation or replacement of historic bridges contributing to the Florida East Coast Railway (FECR) Historic District; and (3) ground-disturbing activities, including installation or relocation of signal and communication systems, relocation of buried fiber optic cable, and track reconstruction within the existing FECR right of way; and

WHEREAS, through consultation SHPO has concurred on December 29, 2015 with FRA's determination that the undertaking will have an adverse effect on the Eau Gallie River Bridge, St. Sebastian River Bridge, and the ground disturbing activities associated with construction have the potential to cause adverse effects to National Register-eligible archaeological sites under 36 C.F.R. § 800.5(a)(2)(i) through demolition; and

WHEREAS, through consultation FRA has determined, and SHPO has concurred, that the undertaking will not have an adverse effect to the other NRHP-listed or eligible properties in Attachment 1 either through demolition, alteration, change in the character of the property's setting, or the introduction of visible, atmospheric, or auditory elements under 36 C.F.R. § 800.5(a)(2)(ii) through (v); and

WHEREAS, through consultation, the SHPO has concurred on December 29, 2015 with FRA's determination that the ground-disturbing activities associated with construction, performed consistent with the Archaeological Monitoring Plan in Stipulation IV, should not have an adverse effect on archaeological sites; and

WHEREAS, the FRA notified the ACHP on April 24, 2015, of the adverse effect and ACHP agreed to participate in the Section 106 consultation; and

WHEREAS, FRA initiated the National Environmental Policy Act (NEPA) process for the undertaking in April 2013 and involved the public at five scoping meetings in May 2013 held in Orlando, Miami, West Palm Beach, Fort Pierce, and Fort Lauderdale before the publication of the Draft Environmental Impact Statement (DEIS) for the undertaking; and eight public meetings during the public comment period on the DEIS in October and November 2014 held in accordance with NEPA along the undertaking corridor, where Section 106 considerations (including identification of and potential adverse effects to historic properties) were presented to the public and locally affected parties; and

WHEREAS, on August 4, 2015, FRA published a Final EIS (FEIS) which included as an attachment a draft Memorandum of Agreement (MOA) that will be superseded and replaced by this PA; and

WHEREAS, FRA engaged in government-to-government consultation with the Miccosukee Tribe of Indians of Florida, the Muscogee Creek Nation, the Poarch Band of Creek Indians, the Seminole Nation of Oklahoma and the Seminole Tribe of Florida regarding the undertaking. Of these, the Tribal Historic Preservation Officer of the Seminole Tribe of Florida has consulted with FRA and has requested that FRA continue government-to-government consultation concerning archaeological sites. The Corps continues to engage in government-to-government consultation with the Tribal Historic Preservation Officer for the Seminole Tribe of Florida; and

WHEREAS, FRA identified and contacted local governments and other entities to participate in the Section 106 process as Consulting Parties under 36 C.F.R. § 800.2(c)(3) and (c)(5) on May 19, 2015, and nine entities responded with their intent to participate (Broward County, June 9, 2015; City of Stuart, June 9, 2015; City of Vero Beach, June 4, 2015; Indian River County, June 10, 2015); Indian River County Historical Society Inc., June 6, 2015; Martin County, June 12, 2015; Old Vero Ice Age Sites Committee, June 2, 2015; St. Lucie County, June 12, 2015; and Town of St. Lucie Village, June 12, 2015); and

WHEREAS, FRA has consulted with the Consulting Parties and provided the Consulting Parties a draft Determination of Effects (DOE) Report on May 19, 2015, and a revised draft DOE Report, draft Memorandum of Agreement, and draft

Archaeological Monitoring Plan on October 5, 2015, and held a meeting on October 19, 2015, concerning the identification of historic properties within the APE for direct and indirect effects and concerning FRA's determination of effects to those historic properties; and

WHEREAS, FRA, Corps, and Coast Guard received comments from the public and consulting parties regarding the potential effects of the undertaking on historic properties and addressed the comments through development of this PA; and

WHEREAS, AAF has committed to use alternative construction methods such as extended directional drilling to avoid adverse effects to known sites and areas of archaeological sensitivity within the APE identified in Stipulation IV; and

WHEREAS, the FRA, Corps, and Coast Guard have considered the Consulting Parties' comments on the identification of historic properties within APE and on FRA's Determination of Effects to those historic properties and determined that all historic properties within the APE, respectively, have been identified consistent with Section 106 and its implementing regulations for Protection of Historic Properties (36 C.F.R. Part 800) and in compliance with the data analysis and reporting standards embodied in FDHR's Cultural Resource Management (CRM) Standards and Operational Manual (Florida Department of State 2002), and Chapter 1A 46 (Archaeological and Historical Report Standards and Guidelines), Florida Administrative Code, and 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

WHEREAS, the Corps published a public notice January 10, 2017, advising the Corps and Coast Guard will execute a PA; and

WHEREAS, the Corps and Coast Guard have coordinated a draft PA with the Signatories, and the Consulting Parties by letter dated January 11, 2017; and

WHEREAS, the Corps and Coast Guard held a meeting on February 9, 2017, with the consulting parties concerning the draft PA; and

WHEREAS, the Corps completed field assessments at known archaeological sites and important archaeological areas with representatives of the consulting parties in Indian River and St. Lucie Counties on March 6 and 7, 2017, at the request of the consulting parties; and

WHEREAS, the Corps and Coast Guard amended the PA as a result of the comments received from the consulting parties and field visits completed by the Corps; and

NOW THEREFORE, the Signatories agree that the undertaking shall be implemented in accordance with the following stipulations to take into account the effects of the undertaking on the historic properties listed in Attachment 1.

STIPULATIONS

The Corps and Coast Guard, in coordination with AAF, will ensure that the following measures are carried out:

I. APPLICABILITY

- A. This PA does not apply to elements of the undertaking involving Positive Train Control (PTC) infrastructure covered by ACHP's *Program Comment for Positive Train Control Wayside Poles and Infrastructure* (May 16, 2014).
- B. This PA does not apply to elements of the undertaking involving the construction of new communications towers or the collocation of equipment on existing towers that are covered by ACHP's *Program Comment to Avoid Duplicative Reviews for Wireless Communications Facilities Construction and Modification* (September 24, 2015).
- C. This PA does not apply to Phase I of All Aboard Florida's Intercity Passenger Rail Project from West Palm Beach to Miami, Florida.

II. STANDARDS AND PROFESSIONAL QUALIFICATIONS

- A. All architectural history work or archaeological work carried out under this PA will be conducted by, or under the direct supervision of, a person or persons meeting the Secretary of the Interior's Professional Qualifications Standards for Architectural History (48 FR 44738-9) and the Secretary of the Interior's Professional Qualifications Standards for Archaeology (48 FR 44738-9).
- B. The Signatories acknowledge that the Corps is the federal agency responsible for coordinating any and all aspects of this PA with the Native American Tribes. AAF shall not contact the Native American Tribes regarding any aspect of this PA.
- C. The Signatories acknowledge that Native American Tribes possess special expertise in assessing the eligibility of historic properties that may possess religious and cultural significance to them.

III. BRIDGE REPLACEMENT, REHABILITATION, AND CONSTRUCTION

- A. Bridges Advisory Group
 - i. The Coast Guard is the federal agency responsible for implementation of Stipulation III.

- ii. A Bridges Advisory Group will be formed by AAF. The purpose of the Bridges Advisory Group is to review the proposed design of the new replacement bridges at Eau Gallie River and St. Sebastian River and rehabilitation of existing bridges listed in stipulation III.A.IV that are contributing elements to the FECR Historic District and make recommendations to AAF to assist AAF in developing bridge designs consistent with the character of the FECR Historic District. A preliminary navigation clearance determination will be issued by the Coast Guard prior to proposing bridge designs for review by the Bridges Advisory Group.
- iii. The Bridges Advisory Group will seek input from interested parties on the design of the replacement of the Eau Gallie River Bridge and St. Sebastian River Bridge and the design for the rehabilitation or replacement of historic bridges contributing to the FECR Historic District.
- iv. The Bridges Advisory Group will consist of AAF, SHPO, the Independent Archeological Monitor described in Stipulation IV.B, and any Consulting Party that expresses an interest in participating and that is situated in the localities where the bridge work will occur. Consulting Parties must notify AAF of their interest in participating in the Bridges Advisory Group in writing within 15 business days of receiving notification from AAF that the PA has been executed. Any Consulting Party participating on the Bridges Advisory Group may provide written comments to AAF, Coast Guard, and SHPO only on the design of bridges listed below located in the county or city with which they are affiliated.

The Eau Gallie River Bridge is located in Brevard County and the City of Melbourne; the St. Sebastian River Bridge is located in Brevard and Indian River Counties and immediately north of the City of Sebastian. Historic bridges contributing to the FECR Historic District that will be demolished and replaced include:

- Crane Creek Bridge (Brevard County)
- Turkey Creek Bridge (Brevard County)
- Goat Creek Bridge (Brevard County)
- Rio Waterway Bridge (Martin County)
- Salerno Waterway Bridge (Martin County)
- Manatee Creek Tributary 1 Bridge (Martin County)
- Manatee Creek Tributary 2 Bridge (Martin County)

Historic bridges contributing to the FECR Historic District that will be rehabilitated include:

- Taylor Creek (St. Lucie County)
- St. Lucie River (Martin County)
- Loxahatchee River (Palm Beach County)

- v. AAF will provide design plans to the Bridges Advisory Group, Coast Guard, and SHPO for review at the 60 percent design stage for each bridge identified in Stipulation III.A.ii. The Bridges Advisory Group will have 30 business days to review the design plans and provide recommendations to AAF, SHPO, and Coast Guard. AAF and SHPO will meet as needed to review the recommendations of the Bridges Advisory Group. The recommendations of the Bridges Advisory Group are advisory only. AAF is responsible for ensuring that the structural and engineering design of these bridges meets engineering standards for passenger and freight railroads at the specified loadings. In addition, AAF will take into account any recommendations in accordance with this paragraph in preparing the final designs for the bridges and will choose and implement designs for the bridges that are compatible with the character of the historic districts where they are located. The Coast Guard will review the final designs for the bridges to confirm that the recommendations have been taken into account and the final design meets requirements of the General Bridge Act of 1946.

B. Documentation for the Historic Eau Gallie River Bridge and St. Sebastian River Bridge

- i. Prior to the demolition of the historic Eau Gallie River Bridge and St. Sebastian River Bridge, AAF will prepare the following documentation of these bridges in accordance with Historic American Engineering Record (HAER) standards:
 - Drawings – Select drawings of both of the existing bridge plans, as available, scanned and provided in an acceptable digital format (i.e. jpeg files);
 - Photographs – Photographs with large-format negatives of context and views from all sides of the bridges and approaches, roadway and deck views, and noteworthy features and details. All negatives and prints will be processed to meet archival standards. One photograph of a principal elevation shall include a scale; and
 - Written Data – Reports with narrative description of both bridges, summary of significance, and historical context.
- ii. AAF will provide copies of the documentation completed in accordance with Stipulation III.B.i as follows:
 - An archival copy of documentation for both bridges to the U.S. Department of Interior (DOI), National Park Service Southeast Regional Office for review and approval before demolition of the structure, per HAER guidelines; and
 - An archival copy of the DOI-approved documentation for both bridges to the SHPO for inclusion in the Florida Master Site File (FMSF); and

- A copy of the DOI-approved documentation for both bridges to the Florida Historical Society in Cocoa, Florida, and copies of the St. Sebastian River Bridge documentation to Indian River County and the Indian River County Historical Society in Vero Beach, Florida.

IV. ARCHAEOLOGICAL MONITORING AND UNANTICIPATED ARCHAEOLOGICAL DISCOVERIES

- A. The Corps is the federal agency responsible for implementation of Stipulation IV.
- B. AAF agrees to submit plans and specification on the means and methods of construction of Main Canal (MP 226.8) and North Canal (MP 223.8) bridges prior to commencement of construction on the bridges. The Corps will review the plans to ensure AAF has taken all reasonable efforts to avoid and minimize ground disturbance activities at the canal banks. The plans shall be submitted to U.S. Army Corps of Engineers, Regulatory Division, P.O. Box 4970, Jacksonville, Florida 32926. Reference DA number SAJ-2012-01564 in any correspondence transmitted.
- C. AAF will use alternative construction methods such as horizontal directional drilling to avoid adverse effects to known sites and areas of archaeological sensitivity within the APE identified in Attachment 2. AAF agrees to monitor the entry and exit locations of the horizontal directional drill as described in Stipulation IV.E and IV.F. If extended directional drilling is not feasible due to physical constraints (e.g. existing utilities that could be affected by drilling), then the Independent Archaeological Monitor (see section IV.E below)) shall be implemented at these locations using the monitoring protocol in stipulations IV.E and IV.F.
- D. This Stipulation is the Archaeological Monitoring/Unanticipated Discoveries Plan (Plan) that AAF will implement during ground-disturbing construction activities of the undertaking along the corridor between West Palm Beach and Orlando that was reviewed in FRA's FEIS. These activities may include the reinstallation of a second track, relocating a buried fiber optic cable line, installing subsurface signals and communications systems, and other construction activities associated with the undertaking. The Plan also establishes a process for identifying and protecting unmarked human remains and identifying archaeological resources that may be encountered during undertaking construction. AAF will implement the Plan in accordance with state and Federal laws, including Florida laws Chapter 872 Offenses Concerning Dead Bodies and Graves and Chapter 267 Historical Resources. The Plan is applicable to the following known sites and areas of archaeological sensitivity:
 - Hobe Sound National Wildlife Refuge #3 Site (8MT1287);
 - Fort Capron Site (8SL41);
 - Vero Man/Vero Locality Site (8IRI/8IR9);

- Fort Pierce (8SL31);
- Fort Pierce Mound (8SL3)
- Railroad Site (8IR846);
- Avenue A-Downtown Fort Pierce (8SL1772)
- Gifford Bones Site (8IR7);
- Savannah North Dunes Site (8SL3063);
- Pinecrest Colored Cemetery (8BR2808);
- Cocoa Cemetery (BR1777);
- City of Melbourne Cemetery;
- Malabar Cemetery;
- Sebastian River;
- Fort Pierce Cemetery (8SL1101);
- Eden Cemetery (8SL1634);
- All Saints Cemetery (8MT1288);
- St. Lucie River;
- Hobe Sound AME Church Cemetery (8MT1290);
- Loxahatchee River;
- Evergreen Cemetery (8BP218);
- Bridge demolition and construction locations; and
- Those areas listed as high probability locations in the monitoring maps included as Attachment 2.

This Plan provides methods to avoid impacts to these sites and areas of archaeological sensitivity during construction through the use of archaeological monitoring. Implementation of the Plan will ensure that any deposits of archaeological materials are identified, documented, and protected, or mitigated if impacts cannot be avoided.

E. Independent Archaeological Monitor

- i. AAF will submit to the Corps for approval the qualifications of at least three different persons meeting the Secretary of the Interior's Professional Qualifications Standards for Archaeology (48 FR 44738-9) (Archaeologist). No person may be affiliated with the same company or organization as another person whose qualifications are submitted. Once approved by the Corps, AAF will engage the services of such person or persons to provide an independent review of the archaeological monitoring undertaken as described in Stipulation IV.E., to be known as the Independent Archaeological Monitor (IAM). The IAM will have knowledge and experience in the archaeology of the undertaking area (i.e., central and eastern coastal Florida). The IAM will consult, as appropriate, with identified professional archaeologists familiar with the sites and archaeologically sensitive areas listed in Stipulation IV.D. (e.g., the Principal Investigator and/or Lead Archaeologist at the Vero Man Site, and the Principle Investigator and/or Lead Archaeologist at the Fort Pierce Mound Site) before initiating and during

archaeological monitoring activities. The IAM will provide sufficient qualified personnel to monitor simultaneous construction at multiple locations.

- ii. AAF will bear the costs incurred by the IAM. The IAM will function as an Independent Third Party Contractor. The scope of work of the IAM will be determined by the Corps. The Corps, AAF, and the IAM will enter into a Memorandum of Understanding that is consistent with the terms of this PA and details the scope of work and schedule at least 30 calendar days prior to the start of any ground-disturbing construction activities at the sites or archaeologically sensitive areas listed in Stipulation IV.D.
 - iii. AAF's Project Archaeologist will be responsible for communication with the IAM. For each site or archaeologically sensitive area listed in Stipulation IV.D., AAF's Project Archaeologist will provide the IAM with reasonable notice in advance of any ground-disturbing construction activities and will provide the IAM with a description of the specific activities and anticipated construction schedule and duration. AAF will ensure that the IAM has a reasonable opportunity to be present during all ground disturbing and archaeological monitoring activities. The IAM will have discretion to decide whether or not to be present.
 - iv. AAF's Project Archaeologist will immediately notify the IAM of any archaeological artifacts or features discovered during ground disturbing activities at the sites or archaeologically sensitive areas listed in Stipulation IV.D., or of any inadvertent discoveries within the APE. The IAM will independently evaluate the find for N and provide a finding within 24 hours.
 - v. The IAM will review the Project Archaeologist logs daily (Stipulation IV.E.iv) and will review the Monitoring Report prepared by the Project Archaeologist for each site and archaeologically sensitive areas listed in Stipulation IV.D, and will provide weekly written reports to the Corps and SHPO.
 - vi. The IAM will have the authority to stop work if he/she observes a circumstance where any archaeological artifacts or features are at risk of damage or destruction from work being performed at a site or archaeologically sensitive area listed in Stipulation IV.D. AAF, the Corps, and SHPO will follow Stipulations IV.F.i and V.F.ii before work can proceed. This stipulation shall be included in any contracts associated with ground disturbing activities for the AAF project.
- F. Monitoring Methods and Documentation
- i. *Personnel:* AAF will engage the services of a person or persons meeting the Secretary of the Interior's Professional Qualifications Standards for Archaeology (48 FR 44738-9) (Project Archaeologist) to fulfill its obligations under this Stipulation IV. AAF proposes to use Janus Research as the Project Archaeologist. All archaeological monitoring will be conducted by, or under the direct supervision

of, the Project Archaeologist with the exception of the IAM's monitoring activities. The Project Archaeologist will ensure that the archaeological monitors have the education, training, and experience to properly monitor construction activities. The Project Archaeologist will determine the appropriate number and placement of monitors for each site dependent on subsurface conditions and the nature of the construction activity. An archaeological monitor will be present for all ground disturbing activities at the archaeological sites and areas of archaeological sensitivity listed in IV.D and represented on the maps in Attachment 2.

- ii. *Construction Crew Education:* Before the commencement of any ground disturbing activities, AAF's Project Archaeologist will brief a designated construction supervisor on the monitoring goals and procedures, stop work procedures, the stratification in the project area, and applicable Federal, state, and local laws pertaining to the discovery of human remains and archaeological materials. AAF's Project Archaeologist will show construction crew members involved in ground disturbing activities study collections of midden soil, faunal remains, shell, bone, and stone tools, lithic fragments, pottery sherds, and other types of artifacts that could potentially be encountered at each of the archaeological sites and known areas of archaeological sensitivity. AAF's Project Archaeologist will also explain to the construction crew members the stop work procedures they must follow if archaeological materials are encountered. The stipulations in this section shall be included in any contracts associated with ground disturbing activities for the AAF project.
- iii. *Field Methods:* AAF's Project Archaeologist will be present to monitor all ground disturbing activity at each site and archaeologically sensitive area listed in Stipulation IV.D. AAF will inform a designated construction crew supervisor that the Project Archaeologist and/or IAM will be present and has the authority to stop or redirect work in the event of an unanticipated discovery.
- iv. AAF's Project Archaeologist will be responsible for the observation, collection, and documentation of archaeological features or artifacts encountered during ground disturbing activities. The documentation of archaeological features and artifacts will include: (1) plotting their approximate locations on a map of the project area; (2) writing a description of the resources encountered that includes their location, size, approximate depth, type of material encountered, and any other pertinent information; (3) drawing of profiles; and (4) taking photographs. The Project Archaeologist will keep a daily log of construction and monitoring activities and submit the logs to the IAM weekly.
- v. Any artifacts collected during the course of monitoring will be bagged and recorded separately by AAF's Project Archaeologist with the appropriate provenience information noted on the field bags. Obvious features will be treated as separate collection proveniences. The Project Archaeologist will assign all artifact and soil

sample bags Field Specimen numbers in the field. The Project Archaeologist will also conduct laboratory processing, which will consist of the cleaning, inventorying, packaging, and temporary storage of the artifacts recovered. Artifact analysis will involve the morphological and techno-functional classification of artifacts and, if possible, will establish their temporal/cultural affiliations. The Project Archaeologist will make any artifacts available for inspection by the IAM.

- vi. In the event of a find that is potentially eligible for the NRHP, as recommended by AAF's Project Archaeologist or the IAM in the field based on a preliminary assessment, the following procedures will be followed:
- AAF's Project Archaeologist or the IAM will stop/redirect all work within 100 feet of the find, and flag and secure the find. The Project Archaeologist or IAM will immediately notify the construction supervisor, AAF, and the IAM or Project Archaeologist of the find. The IAM will independently evaluate the find for recommendations on eligibility for inclusion in the NRHP.
 - If the Project Archaeologist recommends and the IAM concurs that the find is NRHP-potentially eligible, AAF will consult with the Corps and SHPO to develop appropriate treatment measures, if necessary. The Corps will share the proposed treatment measures with the Native American Tribes and any Consulting Parties located within the jurisdiction of the find. Such Consulting Parties will have seven (7) calendar days to review and provide written comments to the Corps, SHPO and AAF on any such treatment measures starting from the date on which the Corps contacts the Consulting Parties.
 - If the Project Archaeologist or IAM recommends that the find is eligible or potentially eligible for NRHP listing and the site may be damaged by allowing the ground disturbing activities to continue, AAF will cease all such activities within 100 feet of the find until consultation has been completed between the Corps, AAF, SHPO, and until the Consulting Parties located within the jurisdiction of the find have been given seven (7) calendar days to review and provide written comments to SHPO, Corps, and AAF. At the conclusion of the comment period, the Corps will provide a DOE based upon the information submitted and a final treatment for the resource property will be developed. The treatment plan must be carried out prior to re-commencement of ground disturbing activities within 100 feet of the find. AAF will provide the funds for such treatment.
- vii. *Curation:* AAF agrees that Janus Research will provide temporary storage and curation of all archaeological material (artifacts, ecofacts, etc.) and related documentation recovered during the course of monitoring. Collected archaeological material will be curated to professional standards and transferred to AAF at the completion of the undertaking. AAF will consult with SHPO, Corps, and Consulting Parties regarding the appropriate transfer or disposition of any artifacts

and records, including possible transfer to an appropriate Native American Tribe or other entity. Prior to transfer of ownership of the collection to a Native American Tribe or other entity, AAF must ensure that the recovered artifacts and related records will be curated in a suitable repository as agreed to by SHPO and affected Native American Tribe(s) and that applicable Florida state or Tribal guidelines are followed.

- viii. *Analysis and Report/Documentation:* The Project Archaeologist will present the results of the archaeological monitoring to the IAM, AAF, the Corps, SHPO and any affected Native American Tribes in a Monitoring Report addressing methods, findings, daily logs, and photographs of monitoring operations, at the conclusion of ground disturbing activities at each archaeological site and area of archaeological sensitivity. The Monitoring Report will be submitted within thirty (30) calendar days of the conclusion of ground-disturbing activities. The Project Archaeologist will complete a FMSF Archaeological Site Form (available at <http://dos.myflorida.com/historical/preservation/master-site-file/documents-forms/>) for any archaeological sites identified during the monitoring.

G. Resolution of Disputes between Project Archaeologist and IAM

- i. In the event of a dispute between the IAM and the Project Archaeologist concerning the NRHP eligibility of an archaeological discovery, or the need to stop construction on a temporary basis as a result of a recommended potentially NRHP eligible find under Stipulation IV.F.vii, the Project Archaeologist will notify AAF and the IAM will notify the Corps, Coast Guard, and SHPO.
- ii. If the dispute concerns the need to temporarily stop construction at a specific archaeological monitoring location, AAF will cease ground disturbing activities at that site or archaeologically sensitive area until the Corps, Coast Guard, and SHPO have consulted and concurred on any measures to address the archaeological discovery. The Corps, Coast Guard, and SHPO will conclude their consultation on the treatment measures within fourteen (14) calendar days and work will resume in accordance with the resolution of the consultation.
- iii. In the event of a dispute concerning an archaeological discovery which is potential eligibility for NRHP that does not require that construction be temporarily stopped, the IAM will provide a written evaluation and recommendations to the Corps, Coast Guard, and SHPO. The Corps and Coast Guard will consult with SHPO. The SHPO will provide the Corps and Coast Guard with a recommendation, and the Corps and Coast Guard will take the recommendation into account in reaching a final decision regarding the dispute

- iii. If AAF or SHPO disagree with the Corps and Coast Guard decision, either party may trigger the dispute resolution procedures in Stipulation IX.

V. AVOIDANCE OF ADDITIONAL POTENTIAL CONSTRUCTION IMPACTS

- A. The Corps is the federal agency responsible for implementation of Stipulation V.
- B. If AAF proposes to use private property or property outside of the APE for direct effects for work site ingress/egress, materials staging, or construction, AAF will consult with SHPO, the Corps, and Consulting Parties located within the jurisdiction of the proposed work area(s) to assess the potential effects of new activities on archaeological and historic resources and will locate such activities in such a manner as to avoid effects to known historic properties listed or eligible for listing on the NRHP, including sites listed in Stipulation IV.B.
- C. If archaeological or historical resources are discovered during ground disturbing activities within the APE or areas that are not listed in Stipulation IV.C, all ground disturbing activities will cease and the Project Archeologist and IAM will be immediately contacted. The archaeological monitors will then follow the procedures outlined in Stipulation IV.E.
- D. AAF will also consider any cumulative and indirect effects to historic properties that may occur as a result of such new activities described in Stipulation V.B.
- E. AAF will use alternative construction methods such as vibratory or sonic pile driving to reduce the vibration impact from pile/sheet pile driving when within 135 feet from archaeological sites and historic districts identified in Stipulation IV.D.
- F. AAF will provide construction crew education, as described in Stipulation IV.F.ii, prior to the commencement of any ground disturbing activities of the undertaking.

VI. HISTORIC INTERPRETATION WEBSITE

- A. The Corps is the federal agency responsible for implementation of Stipulation VI.
- B. AAF will develop and host a website that will focus and highlight the contributions of Henry Morrison Flagler and the history of the FECR and its passenger rail service along the corridor. The website must also provide a background describing the prehistoric and historic context of the corridor. AAF will consult with SHPO during the development of the website.
- C. Before launching the website, AAF will meet with SHPO and demonstrate the website content to ensure that all historic information is accurate and consistent with historic records.
- D. The website will be available for public access for a minimum of five (5) years from the start of revenue service by AAF or subsequent operator.

- E. AAF will provide a link on its website to the historic website to enable both interested passengers and the general public with access to the historic information.

VII. REPORTING

At least every two months, AAF's public information officer will hold a telephone conference with Consulting Parties, public officials and other interested community representatives and public officials to provide a status report on the implementation of the undertaking. This obligation will continue until completion of the undertaking. AAF will also maintain a public website providing periodic updates on the undertaking's implementation. AAF will notify Consulting Parties in writing seven (7) calendar days prior to commencing construction in proximity to properties listed on or eligible for inclusion in the NRHP (Attachment 1 to this PA), the archaeological sites, and archaeologically sensitive areas listed in Stipulation IV.D.

VIII. POST REVIEW DISCOVERIES

- A. Human Remains. In the case of an unanticipated discovery of human remains or burials during construction activities, AAF shall halt construction in the immediate area (within 50 feet) of the discovery, secure the area, and follow the provisions of the State of Florida's burial laws as set forth in Section 872.05 of Florida Statutes.
- B. Historic Properties. Historic Properties. In the event the Undertaking has an unanticipated adverse effect on above- or below- ground historic properties, AAF will consult with the Corps, USCG, SHPO, and/or ACHP accordance with 36 C.F.R. § 800.13(b).

IX. OBJECTIONS BY SIGNATORIES

- A. Should any Signatory object in writing to the Corps or Coast Guard regarding any action proposed or carried out with respect to the undertaking or implementation of this PA, the Corps and Coast Guard will consult with the objecting party to resolve the objection.
- B. If after initiating such consultation with the objecting party the Corps and Coast Guard determine that the objection cannot be resolved, the Corps and Coast Guard will forward all documentation relevant to the objection to the ACHP, including the Corps' and the Coast Guard's proposed response to the objection and request that the ACHP comment on the proposed resolution within 30 calendar days of receipt. Within 30 calendar days after receipt of all pertinent documentation, ACHP will:
 - i. Concur in the Corps and Coast Guard proposed resolution; or
 - ii. Provide the Corps and Coast Guard with recommendations, which the agencies will take into account in reaching a final decision regarding the dispute; or notify the Corps and Coast Guard that it will comment under 36 C.F.R. Part 800, and proceed to refer the objection and comment. Any ACHP comment provided in response to

such a request will be taken into account by the Corps and Coast Guard in accordance with 36 C.F.R. § 800.7(c)(4) with reference to the subject of the dispute.

- C. Should ACHP not respond within 30 days of receiving adequate documentation, the Corps and Coast Guard may make a final decision on the dispute and proceed accordingly.
- D. Any recommendations or comments provided by ACHP will be understood to pertain only to the subject of the dispute; The Corps', Coast Guard's, and AAF's responsibility to carry out all other terms of this PA that are not the subject of the dispute will remain unchanged.

X. OBJECTIONS BY THE PUBLIC

If a member of the public believes that this PA is not being implemented according to its terms, that person may provide the Corps and Coast Guard with written notice specifying their concerns. The Corps and Coast Guard will consider those concerns and may consult with the member of the public, consulting parties, or other Signatories, as the Corps and Coast Guard deem appropriate. The Corps and Coast Guard will respond to the member of the public in writing and copy Signatories on its response.

XI. AMENDMENTS

Any Signatory to this PA may request that it be amended, whereupon the signatory parties will consult in accordance with 36 C.F.R. Part 800.6 to consider the amendment. The Corps and Coast Guard will consult, as appropriate based on the nature of the proposed amendment, with Consulting Parties regarding amendments to this PA. All signatories must signify their acceptance of the proposed changes in writing within thirty (30) days of their receipt. This PA shall only be amended by a written instrument executed by all signatories. The amendment will be effective on the date of signature of the last party to sign the amendment. When no consensus can be reached, the PA will not be amended and the dispute resolution process set forth in Stipulation IX will be followed.

XII. TERMINATION

Any of the Signatories may terminate this PA by providing written notice to the other parties, provided that the parties will consult during the period before termination to seek agreement on amendments or other actions that may avoid termination. Termination of this PA must be in compliance with 36 C.F.R. Part 800. This PA may be terminated by the execution of a subsequent Agreement that explicitly terminates or supersedes the terms of the PA.

XIII. DURATION

Unless terminated under Stipulation XII above, this PA will be in effect for ten (10) years following execution by all signatories or until the signatories determine the terms of the PA are satisfactorily fulfilled, whichever is later. This PA will also be terminated if AAF

notifies the Signatories in writing that it is unable or has decided not to construct the undertaking.

Execution of this PA by the Corps, Coast Guard, SHPO, AAF and ACHP, and implementation of its terms, demonstrates that the FRA, Corps, and Coast Guard have taken into account the effects of the undertaking on historic properties.

XIV. COORDINATION WITH OTHER FEDERAL ACTIONS

In the event that another Federal agency is considering funding, permits, licenses, or other approvals or assistance for this Undertaking not covered by this PA as originally executed, and the Undertaking remains unchanged as set forth in this PA, that agency may fulfill its Section 106 responsibilities by stating in writing to the Corps, USCG, Florida SHPO, and the ACHP that it intends to do so and that it concurs with and will abide by the terms of this PA. Any other modifications to the PA will be considered in accordance with the Amendment Stipulation (XI).

**PROGRAMMATIC AGREEMENT AMONG
U.S. ARMY CORPS OF ENGINEERS, U.S. COAST GUARD, THE FLORIDA STATE
HISTORIC PRESERVATION OFFICER, ALL ABOARD FLORIDA – OPERATIONS,
LLC, AND THE ADVISORY COUNCIL ON HISTORIC PRESERVATION REGARDING
COMPLIANCE WITH SECTION 106 OF THE NATIONAL HISTORIC PRESERVATION
ACT FOR THE ALL ABOARD FLORIDA INTERCITY PASSENGER RAIL PROJECT
PHASE II ORLANDO TO WEST PALM BEACH, FLORIDA**

Signatures

_____ **Date:**

JASON A. KIRK, P.E.
Colonel, U.S. Army
District Commander

_____ **Date:**

S.A. BUSCHMAN
Rear Admiral, U.S. Coast Guard
Seventh Coast Guard District

_____ **Date:**

John M. Fowler
Executive Director
Advisory Council for Historic Preservation

_____ **Date:**

Timothy Parsons, Ph.D., RPA
Division of Historical Resources &
State Historic Preservation Officer

_____ **Date:**

P. Michael Reiniger
President

All Aboard Florida, Operations, LLC

**ATTACHMENT 1: PROPERTIES LISTED IN OR ELIGIBLE FOR THE
NATIONAL REGISTER OF HISTORIC PLACES, AND DETERMINATIONS
OF EFFECT FINDINGS**

Table 1 Historic Linear Resources Within the N-S Corridor APE for Direct Effects¹				
FMSF #	Site Name / Address	Resource Type	National Register Status	Determination of Effect
8BR1870/ 8IR1497/ 8IR1518/ 8SL3014/ MT1391/ 8MT1450/ 8PB12102	Florida East Coast Railway	Linear Resource	NRHP-Eligible	No Adverse Effect

¹ Includes properties listed in, or eligible for listing in, the National Register of Historic Places. For a full list of surveyed properties, please see the 2013 CRAR and 2015 CRAR Addendum Appendices (online).

Table 2 FECR Historic Bridges Within the N-S Corridor APE for Direct Effects						
Mile Post	County	FMSF #	Site Name / Address	Date Estimate	National Register Status	Determination of Effect
190.47	Brevard	8BR3058	Fixed Railway Bridge over the Eau Gallie River – Steel	1925	Eligible as FECR Contributing Resource/ Individually Eligible	Adverse Effect
194.34	Brevard	8BR3059	Fixed Railway Bridge over the Crane Creek and Melbourne Street – Steel	1925	Eligible as FECR Contributing Resource	No Adverse Effect
197.7	Brevard	8BR3060	Fixed Railway Bridge over the Turkey Creek – Steel	1925	Eligible as FECR Contributing Resource	No Adverse Effect
202.59	Brevard	8BR3061	Fixed Railway Bridge over the Goat Creek – Steel	1959	Eligible as FECR Contributing Resource	No Adverse Effect
212.07	Brevard and Indian River	8BR3062/ 8IR1569	Fixed Railway Bridge over the Sebastian River – Steel	1926	Eligible as FECR Contributing Resource/ Individually Eligible	Adverse Effect

Mile Post	County	FMSF #	Site Name / Address	Date Estimate	National Register Status	Determination of Effect
240.1	St. Lucie	8SL3191	Fixed Bridge over the Taylor Creek - Concrete with Steel Beam Span	1961	Eligible as FECR Contributing Resource	No Adverse Effect
259.95	Martin	8MT1623	Fixed Bridge over the Rio Waterway - Steel and Timber Piles	1958	Eligible as FECR Contributing Resource	No Adverse Effect
260.93	Martin	8MT1382	Movable Bridge over the St. Lucie River – Steel	1938	Eligible as FECR Contributing Resource/ Individually Eligible	No Adverse Effect
266.86	Martin	8MT1624	Fixed Bridge over the Salerno Waterway - Steel and Timber Piles	1958	Eligible as FECR Contributing Resource	No Adverse Effect
267.34	Martin	8MT1625	Fixed Bridge over the Tributary to Manatee Creek 1 - Steel and Timber Piles	1962	Eligible as FECR Contributing Resource	No Adverse Effect
267.70	Martin	8MT1626	Fixed Bridge over the Tributary to Manatee Creek 2 - Steel and Timber Piles	1962	Eligible as FECR Contributing Resource	No Adverse Effect
282.58	Palm Beach	8PB16041	Movable Bridge over the Loxahatchee River – Steel	1935	Eligible as FECR Contributing Resource/ Individually Eligible	No Adverse Effect

FMSF #	Site Name / Address	Resource Type	Construction Date	Style	National Register Status	Determination of Effect
8IR2173	Union Cypress Saw Mill Historic District	Mixed District			NRHP-Eligible	No Adverse Effect

FMSF #	Site Name / Address	Resource Type	Construction Date	Style	National Register Status	Determination of Effect
8BR215	Florida Power & Light Co. Ice Plant / 1604 S, Harbor City Boulevard	Building	1926	Industrial Vernacular	NRHP-Listed	No Adverse Effect
8BR759	Marion S. Whaley Citrus Packing House/ 2275 Rockledge Blvd W.	Building	1930	Frame Vernacular	NRHP-Listed	No Adverse Effect
8BR1163	Mattie Lamar House/ 361 Stone Street	Building	c. 1917	Frame Vernacular	NRHP-Eligible	No Adverse Effect
8BR1710	Jorgensen's General Store/5390 US Hwy 1	Building	1894	Frame Vernacular	NRHP-Listed	No Adverse Effect
8BR1723	Cocoa Cemetery Storage Building/ 101 N. Cocoa Blvd.	Building	c. 1931	Masonry Vernacular	NRHP-Eligible	No Adverse Effect
8BR1739	Ashley's Cafe & Lounge/ 1609 Rockledge Blvd. W.	Building	c. 1932	Tudor Revival	NRHP-Eligible	No Adverse Effect
8BR1741	Rockledge Gardens Nursery & Landscaping/2153 Rockledge Blvd. W.	Building	c. 1930	Industrial Vernacular	NRHP-Eligible	No Adverse Effect
8BR1765	Bohn Equipment Company/ 255 Olive St	Building	c. 1927	Industrial Vernacular	NRHP-Eligible	No Adverse Effect
8BR2779	317 Rosa Jones Drive	FECR Station	c. 1962	International	NRHP-Eligible	No Adverse Effect
8BR1724	Hilltop Cemetery	Cemetery	c. 1887		NRHP-Eligible	No Adverse Effect
8BR1777	Cocoa Cemetery	Cemetery	c. 1890		NRHP-Eligible	No Adverse Effect

¹ Includes properties listed in, or eligible for listing in, the National Register of Historic Places.

FMSF #	Site Name / Address	Resource Type	Construction Date	Style	National Register Status	Determination of Effect
8IR859	McKee Jungle Gardens	Resource Group			NRHP-Listed	No Adverse Effect
8IR1519	Dixie Highway	Linear Resource			NRHP-Eligible	No Adverse Effect
8IR68	Vero Railroad Station/ 2336 14 th Avenue	FECR Station	1903	Frame Vernacular	NRHP-Listed	No Adverse Effect
8IR99	George Armstrong Braddock House/ 1309 Louisiana Avenue	Building	1908	Georgian Revival	NRHP-Eligible	No Adverse Effect
8IR100	Baughman House/ 1525 North Louisiana Avenue	Building	1900	Neo-Classical Revival	NRHP-Eligible	No Adverse Effect

FMSF #	Site Name / Address	Resource Type	Construction Date	Style	National Register Status	Determination of Effect
8IR388	5056 North Old Dixie Highway	Building	c. 1920	Bungalow	NRHP-Eligible	No Adverse Effect
8IR624	Old Vero Beach Community Building/ 2146 14 th Avenue	Building	1935	Frame Vernacular	NRHP-Listed	No Adverse Effect
8IR858	Hall of Giants, McKee Jungle Gardens/ US 1 and 4 th Street	Building	1940	Other	NRHP-Eligible (individually and contributing to district)	No Adverse Effect
8IR975	Vero Beach Diesel Power Plant/ 1133 19 th Place	Building	1926	Masonry Vernacular	NRHP-Listed	No Adverse Effect
8IR1464	Vero Beach Community Center/ 2266 14 th Avenue	Building	1966	Modern	NRHP-Eligible	No Adverse Effect
8IR1475	1146 21 st Street	Building	1966	Modern	NRHP-Eligible	No Adverse Effect

¹ Includes properties listed in, or eligible for listing in, the National Register of Historic Places. For a full list of surveyed properties, please see the 2013 CRAR and 2015 CRAR Addendum Appendices (online).

FMSF #	Site Name / Address	Resource Type	Construction Date	Style	National Register Status	Determination of Effect
8SL2801	Edgar Town Historic District	Historic District			NRHP-Eligible (also local designation)	No Adverse Effect
8SL76	St. Lucie Historic District	Historic District			NRHP-Listed	No Adverse Effect
8SL78	Fairmont Manor/ 5707 South Indian River Drive	Building	1896	Neo-Classical Revival	NRHP-Eligible	No Adverse Effect
8SL220	9015 South Indian River Drive	Building	c. 1890	Frame Vernacular	NRHP-Eligible	No Adverse Effect
8SL227	7901 South Indian River Drive	Building	c. 1910	Craftsman	NRHP-Eligible	No Adverse Effect
8SL229	6109 South Indian River Drive	Building	c. 1915	Colonial Revival	NRHP-Eligible	No Adverse Effect
8SL231	5703 South Indian River Drive	Building	c. 1915	Prairie Style	NRHP-Eligible	No Adverse Effect

Table 5 St. Lucie County: Historic Properties Within the N-S Corridor APE for Indirect Effects¹						
FMSF #	Site Name / Address	Resource Type	Construction Date	Style	National Register Status	Determination of Effect
8SL234	5309 South Indian River Drive	Building	c. 1935	Colonial Revival	NRHP-Eligible	No Adverse Effect
8SL236	Riverhill/ 4625 South Indian River Drive	Building	1903	Frame Vernacular	NRHP-Eligible	No Adverse Effect
8SL237	Britt House/ 4511 South Indian River Drive	Building	1908	Frame Vernacular	NRHP-Eligible	No Adverse Effect
8SL238	N.E. Card House/ 3915-3917 Indian River Drive	Building	1914	Masonry Vernacular	NRHP-Eligible	No Adverse Effect
8SL247	Hoskins House/ 2929 North Indian River Drive	Building	1910	Frame Vernacular	NRHP-Eligible	No Adverse Effect
8SL289	Old Fort Pierce City Hall/ 315 A Avenue	Building	c. 1925	Italianate	NRHP-Listed	No Adverse Effect
8SL799	Sunrise Theater/ 117 2nd Street South	Building	c. 1923	Mediterranean Revival	NRHP-Listed	No Adverse Effect
8SL825	601 South 2nd Street	Building	c. 1935	Masonry vernacular	NRHP-Eligible	No Adverse Effect
8SL826	Frank Tyler House/ 519 2nd Street South	Building	c. 1924	Mediterranean Revival	NRHP-Eligible	No Adverse Effect
8SL917	Banyon Belle Manor/ 1001 South Indian River Drive	Building	1905	Georgian Revival	NRHP-Eligible	No Adverse Effect
8SL918	1009 South Indian River Drive	Building	1925	Mission	NRHP-Eligible	No Adverse Effect
8SL920	1029 South Indian River Drive	Building	1920	Georgian Revival	NRHP-Eligible	No Adverse Effect
8SL926	O.L. Peacock House/ 2211 South Indian River Drive	Building	1920	Mediterranean Revival	NRHP-Eligible	No Adverse Effect
8SL930	Stephen Leshner House/ 2501 South Indian River Drive	Building	1920	Italian Renaissance Revival	NRHP-Eligible	No Adverse Effect
8SL931	Carlton-Vest House/ 2507 South Indian River Drive	Building	1920	Masonry Vernacular	NRHP-Eligible	No Adverse Effect
8SL932	Casa Del Rio/ 2513 South Indian River Drive	Building	1920	Italian Renaissance Revival	NRHP-Eligible	No Adverse Effect
8SL933	Babe Phelps House/ 2521 South Indian River Drive	Building	1935	Monterey	NRHP-Eligible	No Adverse Effect

Table 5 St. Lucie County: Historic Properties Within the N-S Corridor APE for Indirect Effects¹						
FMSF #	Site Name / Address	Resource Type	Construction Date	Style	National Register Status	Determination of Effect
8SL1599	Shadetree Studio/ 2900 Old Dixie Highway	Building	1950	Frame Vernacular	NRHP-Eligible	No Adverse Effect
8SL1922	East Coast Packers/ 2130 Old Dixie Highway	Building	1950	Industrial Vernacular	NRHP-Eligible	No Adverse Effect

1 Includes properties listed in, or eligible for listing in, the National Register of Historic Places. For a full list of surveyed properties, please see the 2013 CRAR and 2015 CRAR Addendum Appendices (online).

Table 6 Martin County: Historic Properties Within the N-S Corridor APE for Indirect Effects¹						
FMSF #	Site Name / Address	Resource Type	Construction Date	Style	National Register Status	Determination of Effect
8MT1573	Witham Field Airport	Mixed District			NRHP-Eligible	No Adverse Effect
8MT1621	Dixie Highway	Linear Resource			NRHP-Eligible	No Adverse Effect
8MT46	George W. Parks Store/ Stuart Feed/ 101 South Flagler Avenue	Building	1901	Frame Vernacular	NRHP-Eligible	No Adverse Effect
8MT84	Fern Building/ 73 West Flagler Avenue	Building	c. 1950	Masonry Vernacular	NRHP-Eligible	No Adverse Effect
8MT86	Lyric Theatre/ 59 Southwest Flagler Avenue	Building	c. 1926	Mediterranean Revival	NRHP-Listed	No Adverse Effect
8MT130	East Coast Lumber and Supply/ 49 Southwest Flagler Avenue	Building	1917	Frame Vernacular	NRHP-Eligible	No Adverse Effect
8MT131	Hobe South Cabinetry/ 500 South Dixie Highway	Building	1917-c. 1926	Masonry Vernacular	NRHP-Eligible	No Adverse Effect
8MT307	Crary House/ 161 Southwest Flagler Avenue	Building	1925	Tudor Revival	NRHP-Eligible	No Adverse Effect
8MT838	12200 Southeast Nassau Street	Building	c. 1941	Frame Vernacular	NRHP-Eligible	No Adverse Effect
8MT1066	250 North Flagler Road	Building	c. 1940	Masonry Vernacular	NRHP-Eligible	No Adverse Effect

1 Includes properties listed in, or eligible for listing in, the National Register of Historic Places. For a full list of surveyed properties, please see the 2013 CRAR and 2015 CRAR Addendum Appendices (online).

Table 7 Palm Beach County: Historic Properties within the N-S Corridor APE for Indirect Effects¹						
FMSF #	Site Name / Address	Resource Type	Construction Date	Style	National Register Status	Determination of Effect
8PB13340	Kelsey City Layout	Historic District			NRHP-Eligible	No Adverse Effect
8PB218	Evergreen Cemetery	Cemetery	1916		NRHP-Eligible (also local designation)	No Adverse Effect
8PB6064	St. John's Baptist Church/ 2010 A. E. Isaacs Avenue	Building	1929	Mission	NRHP-Eligible	No Adverse Effect

Table 8 Archaeological Sites Located Within the N-S Corridor APE				
FMSF #	Site Name / Address	Site Type	National Register Status	Determination of Effect
8IR846	Railroad	Malabar-Period Shell Midden and Artifact Scatter	Not Evaluated by SHPO	No Adverse Effect
8MT1287	Hobe Sound National Wildlife Refuge #3	Prehistoric Campsite and Prehistoric Shell Midden	Previously recommended as Potentially Eligible: Not Evaluated by SHPO	No Adverse Effect
8SL41	Fort Capron	Historic Fort	Previously recommended as Potentially Eligible: Not Evaluated by SHPO	No Adverse Effect
8SL1772	Avenue A-Downtown Fort Pierce	Precolumbian Habitation, Midden, Campsite, and extractive Site; Historic American Building Remains, Refuse, and Artifact Scatter	Not Evaluated by SHPO	No Adverse Effect
8IR1/8IR9	Vero Man/Vero Locality	Pleistocene Faunal assemblage: Redeposited Precolumbian Burial	NRHP-Eligible	No Adverse Effect
8SL31	Fort Pierce	Historic Fort	NRHP-Listed	No Adverse Effect
Sites added by the U.S. Army Corps of Engineers, May 2017				
8SL3	Ft. Pierce Mound	Midden/Mound	Not Evaluated by SHPO	No Adverse Effect
	High Probability - Site A	Unknown	Not Evaluated by SHPO	No Adverse Effect
	High Probability - Site B	Unknown	Not Evaluated by SHPO	No Adverse Effect

Table 8 Archaeological Sites Located Within the N-S Corridor APE				
FMSF #	Site Name / Address	Site Type	National Register Status	Determination of Effect
	High Probability - Site C	Unknown	Not Evaluated by SHPO	No Adverse Effect
	High Probability - Site D	Unknown	Not Evaluated by SHPO	No Adverse Effect

**ATTACHMENT 2: KNOWN SITES AND AREAS OF ARCHAEOLOGICAL
SENSITIVITY WHERE MONITORING WILL OCCUR AND LOCATIONS WHERE
HORIZONTAL DIRECTIONAL DRILL WILL BE EMPLOYED**