UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 4
ATLANTA FEDERAL CENTER
61 FORSYTH STREET, SW
ATLANTA, GEORGIA 30303-3104

December 16, 2020

Mr. Timothy Parsons, Ph.D.
State Historic Preservation Officer
Director, Division of Historical Resources
500 South Bronough Street
R.A. Gray Building, Room 305
Tallahassee, Florida 32399-0250

Subject: EPA Response to Comments Received During Consultation Under the National Historic Preservation Act with Respect to the State of Florida's Request to Assume Administration of a Clean Water Act Section 404 Program

Dear Dr. Parsons:

On September 2, 2020, the U.S. Environmental Protection Agency invited you, the State Historic Preservation Officer (SHPO) in Florida, to consult under Section 106 of the National Historic Preservation Act (NHPA) of 1966, as amended, with respect to the State of Florida's request to assume administration of a Clean Water Act Section 404 program for certain waters. EPA's letter provided the SHPO a weblink to access the documents that were submitted to EPA with the State of Florida's request. On September 15, 2020, your office responded by email and accepted EPA's invitation to consult. EPA and the SHPO's continued communication during the consultation process is summarized in Enclosure A.

Provided in Enclosure B is a responsiveness summary that includes EPA's responses to comments received from the SHPO and the other consulting parties during the consultation process. We are providing the complete responsiveness summary per the request of the Advisory Council on Historic Preservation (ACHP) and agreement of the consulting tribes during a December 14, 2020, meeting. The EPA intends to execute a Programmatic Agreement (PA) with the ACHP, the Florida Department of Environmental Protection, and the Florida SHPO prior to acting on the State of Florida's request and will send the SHPO a copy of the PA once executed.

We appreciate your engagement throughout the consultation process and your important feedback and input on the PA. If you have any questions regarding this matter, please contact me at (404) 562-9345, or have a member of your staff contact Mr. Kelly Laycock at (404) 562-9132 or laycock.kelly@epa.gov.

Sincerely,

JEANEANNE GETTLE

Digitally signed by JEANEANNE GETTLE
Date: 2020.12.16 09:40:31 -05'00'

Jeaneanne M. Gettle, Director
Water Division

Enclosures:

A. Summary of Communication Between the EPA and Florida State Historic Preservation Officer During Consultation Under Section 106 of the National Historic Preservation Act with Respect to the State of Florida's Request to Assume Administration of a Clean Water Act Section 404 Program
B. EPA Responses to Comments from the National Historic Preservation Act Section 106 Consulting Parties on Florida's Request for Assumption

cc: Jason Aldridge, Compliance Review Supervisor, Deputy State Historic Preservation Officer

Enclosure A:

Summary of Communication Between the EPA and Florida State Historic Preservation Officer (SHPO) During Consultation Under Section 106 of the National Historic Preservation Act (NHPA) with Respect to the State of Florida's Request to Assume Administration of a Clean Water Act Section 404 program

- 9/2/20: EPA letter issued to the SHPO inviting them to consult under NHPA Section 106 with a link to access the documents that comprised Florida's request for Assumption.
- 9/14/20: SHPO email confirming receipt of 9/2/20 letter and indicating FL SHPO would want to consult.
- 11/25/20: EPA email to consulting parties transmitting draft PA for review and comment.
- 12/1/20: EPA call with SHPO and FDEP to discuss draft PA.
- 12/2/20: EPA hosted call with consulting parties to discuss draft PA.
- 12/7/20: SHPO letter to the EPA providing comments on draft PA.
- 12/10/20: EPA email to consulting parties transmitting revised PA.
- 12/14/20: EPA hosted call with consulting parties to discuss revisions to PA.