



REPLY TO
ATTENTION OF:

DEPARTMENT OF THE ARMY
JACKSONVILLE DISTRICT CORPS OF ENGINEERS
701 SAN MACO BLVD
JACKSONVILLE, FLORIDA 32207

August 19, 2016

Mrs. Charlene Dwin Vaughn, AICP
Assistant Directory
Office of Federal Agency Programs
Federal Permitting, Licensing, and Assistance Section
410 F. Street NW, Suite 308
Washington DC 20001-2637

Dear Mrs. Vaughn,

Thank you for your letter dated August 11, 2016, written in response to an inquiry from Congressman Ander Crenshaw of Florida's 4th Congressional District regarding permits issued by the U.S. Army Corps of Engineers (Corps) for submerged telecommunication cables through the Maple Leaf Shipwreck Site (Maple Leaf) located in the St. John's River between Mandarin Point and City of Orange Park in Duval and Clay Counties, Florida.

A Regional General Permit, SAJ-1990-02470, was verified by the Corps on April 30, 1990, for the subaqueous installation of the Southern Bell fiber optic telecommunication line beneath the St. John's River between Mandarin Point and City of Orange Park. The permit was verified prior to the Maple Leaf nomination on the National Register of Historic places on June 6, 1994 and prior to the Secretary of Interior's designation as a National Historic Landmark, on October 12, 1994. Therefore, compliance with Section 106 of the National Historic Preservation Act [54 U.S.C. 306108] and its implementing regulations, "Procedures for the Protection of Historical Resources" (33 CFR part 325: Appendix C) was not required.

A Nationwide Permit, SAJ-2013-01025, was verified by the Corps on April 16, 2013, for the subaqueous installation of the TW Telecom fiber optic utility line beneath the St. John's River between Mandarin Point and City of Orange Park. The Corps determined that the nature, scope, and magnitude of the work to be permitted was so limited in area or scope that there is little likelihood that a historic property or archeological site existed or may be affected and made a *no potential to cause effect* determination.

The Corps became aware of potential adverse effects to the Maple Leaf as a result of the TW Telecom fiber optic utility in January 2016. Since that time the Corps has obtained and reviewed information from the Permittee and State Historic Preservation Officer (SHPO) that indicates the utility line crosses through the boundary of the Maple Leaf; however, the recorded location of the Maple Leaf is not accurate and three or four other undocumented historic shipwrecks may be present as well. The Corps has requested the Permittee conduct an underwater archeological survey. Once the report

is submitted, an effects determination will be made and required mitigation measures developed in coordination with SHPO.

A permit application submitted by Tower Cloud/Goff Communication, SAJ-2016-02058, for a subaqueous fiber optic utility line beneath the St. John's River in the same location is currently being evaluated by the Corps. The applicant is aware that cultural resources may be present within the permit area and has been requested to conduct an underwater survey. The Corps will ensure compliance with Section 106 of the NHPA prior to issuance of a permit for the project.

As information is forthcoming regarding potential impacts of the TW Telecom and Tower Cloud/Goff Communication undertakings on the Maple Leaf, the Corps will coordinate with your office. If you have any additional questions or comments, please contact Mr. Jacob Hemingway at 904-232-3270; 701 San Marco Blvd, Jacksonville, FL 32207 or via email at Jacob.Hemingway@usace.army.

Sincerely,

A handwritten signature in black ink that reads "Tori K White". The signature is written in a cursive, slightly slanted style.

Tori White
Deputy, Regulatory Division

Copy Furnished:
John Eddins, ACHP, jeddins@achp.gov