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FLORIDA DEPARTMENT OF STATE
Glenda E. Hood
Secretary of State
DIVISION OF HISTORICAL RESOURCES

Mr. Ross Morton
South Florida Water Management District
2301 McGregor Boulevard
Fort Myers, FL 33901

June 8, 2004

Re: DHR No. 2004-4839/ Received by DHR: April 21, 2004
Application Number: 040420-15
Applicant: Westwood LLC
Project: Berkshire Townhomes
Fort Myers, Lee County, Florida

Dear Mr. Morton:

Our office received the referenced project in accordance with Chapters 267 and 373, *Florida Statutes*, Florida's Coastal Management Program, and implementing state regulations, for possible impact to historic properties listed, or eligible for listing, in the *National Register of Historic Places*, or otherwise of historical, architectural or archaeological value. The State Historic Preservation Officer is to advise and assist state and federal agencies when identifying historic properties, assessing effects upon them, and considering alternatives to avoid or minimize adverse effects.

Although our review of the Florida Master Site File indicates no significant archaeological or historic sites or structures within the project area, further examination of the surrounding region suggests that some potential for the identification of archaeological resources in that area may exist. Therefore, it is the recommendation of this agency that this permit is issued emphasizing the following standard condition, or including a special condition, regarding fortuitous finds or unexpected discoveries during ground disturbing activities on the property.

If prehistoric or historic artifacts, such as pottery or ceramics, stone tools or metal implements, dugout canoes, or any other physical remains that could be associated with Native American cultures, or early colonial or American settlement are encountered at any time within the project site area, the permitted project should cease all activities involving subsurface disturbance in the immediate vicinity of such discoveries. The permittee, or other designee, should contact the Florida Department of State, Division of Historical Resources, Review and Compliance Section at (850) 245-6333 or (800) 847-7278, as well as the appropriate permitting agency office. Project activities should not resume without verbal and/or written authorization from the Division of Historical Resources. In the event that unmarked human remains are encountered during permitted activities, all work shall stop immediately and the proper authorities notified in accordance with Section 872.05, *Florida Statutes*.

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

Director's Office
(850) 245-6300 • FAX: 245-6435

Archaeological Research
(850) 245-6444 • FAX: 245-6436

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

Historical Museums
(850) 245-6400 • FAX: 245-6433

Palm Beach Regional Office
(561) 279-1475 • FAX: 279-1476

St. Augustine Regional Office
(904) 825-5045 • FAX: 825-5044

Tampa Regional Office
(813) 272-3843 • FAX: 272-2340

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If there are any questions concerning our comments or recommendations, please contact Ron Grayson, Historic Sites Specialist, by phone at (850) 245-6368, or by electronic mail at rgrayson@dos.state.fl.us. We appreciate your continued interest in protecting Florida's historic properties.

Sincerely,

Laura A. Kammerer, Supervisor

for

Frederick Gaske, Director, and
Deputy State Historic Preservation Office

Xc: Jasmin Raffington, FCZMP – State Clearinghouse
Andrew D. Fitzgerald – Barraco & Associates, Inc.