

45 **WHEREAS**, TxDOT consulted with the SHPO to develop and execute this PA pursuant to 36
46 CFR 800.14(b) to establish an efficient and effective program alternative for taking into account
47 the effects of transportation projects on historic properties in Texas; and

48
49 **WHEREAS**, in accordance with 36 CFR 800.6(a)(1), TxDOT has invited the ACHP to
50 participate in Section 106 consultation and development of this PA, and the ACHP, by letter
51 dated June 29, 2021, has chosen to participate in the consultation pursuant to 36 CFR
52 800.6(a)(1)(iii); and

53
54 **WHEREAS**, FHWA recognizes that it has a unique legal relationship with Tribes established in
55 the Constitution of the United States, treaties, statutes, and court decisions, and therefore, the
56 consultation with a federally recognized Indian tribe (Tribe) must recognize the government-to-
57 government relationship between the federal government and the Tribes; and

58
59 **WHEREAS**, in accordance with the NEPA Assignment MOU, FHWA retains responsibility for
60 all government-to-government consultation with Tribes when FHWA's participation has been so
61 requested by the Tribes; and

62
63 **WHEREAS**, TxDOT, FHWA, SHPO, and ACHP acknowledge that Tribes possess special
64 expertise in assessing the NRHP eligibility of properties with tribal religious and cultural
65 significance pursuant to 36 CFR 800.4(c)(1); and

66
67 **WHEREAS**, this Agreement shall not apply to undertakings that occur on or affect tribal lands
68 as they are defined in 36 CFR 800.16(x). Tribal lands are all lands within the exterior boundaries
69 of any Indian reservation and all dependent Indian communities. For such undertakings, TxDOT
70 shall follow the procedures in 36 CFR Part 800; and

71
72 **WHEREAS**, FHWA has notified Tribes that attach religious and cultural significance to historic
73 properties that may be affected by an undertaking in Texas about this Agreement, has requested
74 their comments, and has taken any comments received into account. These Tribes include those
75 listed in Appendix 1; and

76
77 **WHEREAS**, FHWA has invited federally recognized Tribes to become invited signatories or
78 concurring parties to this PA; and

79
80 **WHEREAS**, TxDOT sought review and comments regarding this PA by posting the draft
81 agreement on its website, in addition to emailing in November 2021 all federally recognized
82 Tribes, Federal agencies, and organizations listed in Appendix 1. TxDOT took into account all
83 comments received from those parties in finalizing this PA; and

84 **WHEREAS**, TxDOT bases its consultation and public involvement program as required in this
85 PA on the research, survey, and findings detailed in the 2020 Environmental Statewide Public
86 Engagement Plan (ESPEP); and

87
88 **WHEREAS**, TxDOT employs cultural resources specialists and contractors who meet the
89 Secretary of the Interior's Professional Qualification Standards (62 Federal Register 33708) to
90 carry out its cultural resource programs and responsibilities; and

91

92 **WHEREAS**, TxDOT maintains inventories and supporting historic contexts of TxDOT assets
93 and facilities, including bridges, roadside parks, office complexes, historic road corridors; and

94

95 **WHEREAS**, based on those inventories and contexts, TxDOT conducted programmatic
96 consultation with consulting parties and developed plans for management of historic bridges; and

97

98 **WHEREAS**, the research and consultation outcomes from the historic bridge programmatic
99 consultation and the ESPEP are incorporated into this PA; and

100

101 **WHEREAS**, this PA supersedes and replaces the PA executed by the FHWA, the ACHP, the
102 SHPO and TxDOT in December 2015 (entitled Programmatic Agreement among the Federal
103 Highway Administration, the Texas Department of Transportation, the Texas State Historic
104 Preservation Officer, and the Advisory Council on Historic Preservation Regarding the
105 Implementation of Transportation Undertakings) and the PA executed by the FHWA, the ACHP,
106 the SHPO, and TxDOT in March 2017 (entitled Programmatic Agreement Among the Texas
107 Department of Transportation, the Texas State Historic Preservation Officer, and the Advisory
108 Council on Historic Preservation Regarding Treatment of Historic Bridges Constructed Between
109 1945 and 1965 and hereafter referred to as Post-1945 Bridge PA); and

110

111 **WHEREAS**, the application of the MOU between TxDOT and THC codified in TxDOT’s rules
112 at 43 TAC 2.251–2.278 and in THC’s rules at 13 TAC 26.25 to non-federal undertakings is
113 unaffected by this PA;

114

115 **NOW, THEREFORE**, the ACHP, the SHPO, TxDOT, Participating Tribes, and the FHWA
116 agree that FHWA undertakings administered by TxDOT in the state of Texas shall be
117 administered pursuant to the following stipulations to satisfy the requirements of Section 106 for
118 all individual undertakings of the program.

119

120 **STIPULATIONS**

121 TxDOT, as assigned by FHWA under the NEPA Assignment MOU or acting on behalf of
122 FHWA for the limited number of undertakings where FHWA retains the responsibilities of the
123 Agency Official, shall ensure that the following stipulations are carried out. In coordination with
124 TxDOT where FHWA’s responsibilities have not been assigned to and assumed by TxDOT,
125 FHWA shall ensure that the following stipulations are carried out.

126

I. Definitions

127 A. Historic properties – cultural resources that meet the definition outlined per 36
128 CFR 800.16(l) and that may include the following categories and examples:

129 1. Archeological – artifacts, archeological sites (including archeological
130 components of properties of traditional religious and cultural importance to a
131 federally recognized Tribe), and cemeteries; or

132 2. Non-archeological – buildings, structures, sites, districts, objects,
133 cemeteries, aboveground components of properties of traditional religious and
134 cultural importance to a federally recognized Tribe, and cultural landscapes.

135 B. Area of potential effects (APE) – the geographic area or areas within which an
136 undertaking may directly or indirectly cause changes in the character or use of historic
137 properties, if any such properties exist (36 CFR 800.16(d)) as defined below or identified
138 through the consulting party process.

139 1. Archeological – The APE for archeological properties will be confined to
140 the limits of the proposed project right-of-way (including permanent and
141 temporary easements), utility relocations designated by TxDOT, and project-
142 specific locations designated by TxDOT. The APE also extends to the depth of
143 impacts caused by the undertaking.

144 2. Non-archeological – The APE for non-archeological properties shall be
145 defined as follows and may vary within project limits based on proposed
146 activities:

147 a) 300 feet beyond the proposed edge of new right-of-way (including
148 new permanent and temporary easements), for projects or portions of
149 projects constructed on new location not involving an existing
150 transportation corridor;

151 b) 150 feet beyond the proposed edge of new and existing right-of-
152 way (including new permanent and temporary easements), for

153 (1) trail projects on new location, and

154 (2) projects or portions of projects constructed in existing
155 transportation corridors, including abandoned railroad lines, where
156 new ROW is going to be acquired; or

157 c) Abutting features of adjacent parcels within 12 inches of the limits
158 of construction for sidewalk or trail projects within existing ROW;

159 (1) For purposes of this section, abutting features shall include,
160 but are not limited to, building facades and landscape or
161 streetscape features such as retaining walls, fencing, stairs, brick or
162 other decorative pavement, or formal plantings;

163 (2) Utilitarian elements alone, such as grass lawns, concrete
164 curbing, storm drains, and parking lots, shall not be considered
165 abutting features;

166 d) The existing right-of-way for project or portions of projects
167 confined to existing right-of-way, excepting those projects with sidewalk
168 components, as noted in letter c above;

169 e) TxDOT and SHPO may consult on the need for specialized APES
170 to address:

171 (1) Elevated roadways and multi-level interchanges;

172 (2) Unusual design features and/or complexities;

173 (3) Early project planning;

174 (4) The potential for cultural landscapes; or

175 (5) Consulting party comments.

176 C. Department delegate – the TxDOT organizational unit delegated responsibility for
177 approval of environmental work and documents by the Executive Director as defined in
178 TxDOT’s rules at 43 TAC 2.8.

179 D. Minor widening – roadway projects resulting in pavement profile widened to less
180 than double their original width within existing right-of-way, resulting from adding
181 travel/center-turn lanes or paved shoulders.

182 E. New right-of-way – includes land incorporated into transportation uses, including
183 through permanent easements, as well as temporary easements for the purposes of
184 constructing the project.

185 F. Environmental Compliance toolkits – TxDOT’s online guidance that will be
186 updated as needed to clarify procedures and maintain compliance with state and federal
187 environmental regulations.

188 **II. Responsibilities of the FHWA**

189 A. For FAHP-funded projects, or projects requiring a FHWA approval, FHWA
190 retains responsibility for conducting government-to-government consultation with
191 federally recognized Tribes.

192 B. FHWA may re-assume the Section 106 responsibility for a project from TxDOT
193 under limited circumstances as provided for and by following the procedures outlined in
194 the NEPA Assignment MOU, in which case FHWA will follow the provisions of this PA.
195 In particular, FHWA may re-assume Section 106 responsibility for a project if
196 government-to-government consultation issues are not adequately resolved as explained
197 at Section 3.2.3 of the NEPA Assignment MOU. When this occurs, FHWA will notify all
198 consulting parties.

199 C. FHWA recognizes its oversight responsibilities regarding Section 106 compliance
200 for FAHP-funded projects, or projects requiring a FHWA approval. In furtherance of this
201 responsibility, FHWA may monitor, request information, or take other actions to ensure
202 TxDOT is adequately complying with 36 CFR 800 and the provisions of this PA.

203 **III. Responsibilities of the TxDOT**

204 A. As provided for in the NEPA Assignment MOU, TxDOT has assumed FHWA’s
205 responsibilities as lead federal agency for compliance with Section 106 for most
206 undertakings with very few exceptions. TxDOT shall inform the SHPO when it is
207 consulting in the instance when FHWA is the Agency Official.

208 B. TxDOT shall employ the risk assessment and scoping procedures described in
209 Appendix 2 in order to consider the presence of historic properties and the potential for
210 effects when categorizing projects under Stipulations VIII, IX, or X of this agreement.

211 C. TxDOT shall employ personnel trained, experienced, and qualified in the fields of
212 archeology, architecture, architectural history, history and other closely related fields (as
213 defined in 62 FR 33708) in ENV. Qualified ENV staff in the field applicable to the
214 resources under consideration shall be responsible for the following actions:

- 215 1. the identification and evaluation of historic properties as described in
216 Appendix 5;
- 217 2. the reporting or documentation of the actions described in Appendix 5;
- 218 3. treatment plan development and reporting, as well as documentation on
219 the treatment of historic properties.
- 220 D. TxDOT shall apply the procedures outlined in this PA to FAHP-funded
221 undertakings sponsored by local government project sponsors, including—but not limited
222 to— documentation standards and consultation procedures.
- 223 1. Local government project sponsors may produce documentation following
224 the standards of this PA.
- 225 2. TxDOT retains responsibility for the conduct and conclusion of all
226 consultation.
- 227 E. TxDOT will conduct consultation in accordance with the procedures detailed in
228 Appendix 6.

229 **IV. Responsibilities of the SHPO**

- 230 A. The SHPO shall respond to TxDOT’s request for comment on a non-emergency
231 undertaking within twenty (20) calendar days of transmittal of the request by TxDOT.
- 232 B. The SHPO response to a request for comment will include:
 - 233 1. a statement of concurrence or non-concurrence with TxDOT’s findings
234 and recommendations; and/or
 - 235 2. a determination of eligibility or ineligibility for inclusion in the National
236 Register of Historic Places for all evaluated properties; and
 - 237 3. any comments related to effects findings.
- 238 C. The SHPO shall integrate archeological survey data into the archeological section
239 of the THC’s Texas Historic Sites Atlas and shall integrate new historical markers and
240 designated historic properties into the public section of the THC’s Texas Historic Sites
241 Atlas.

242 **V. Responsibilities of the ACHP**

- 243 A. The ACHP shall provide technical assistance upon request.
- 244 B. The ACHP shall assist with dispute resolution as described in Appendix 6,
245 Stipulation 5(f)(ii).
- 246 C. At the request of FHWA, the ACHP may assist review or monitoring conducted
247 of the Section 106 process.

248 **VI. Responsibilities of Signatory Tribes**

249 The FHWA invited federally recognized Tribes to participate as signatories in this PA.
250 Participation as signatories does not change Tribes’ opportunities to consult on projects or
251 TxDOT’s and FHWA’s obligations to follow consultation processes as outlined in this PA.

- 252 A. Tribes who become signatories to the PA may do so at any time, and their
- 253 signatures are not required to execute the agreement.
- 254 B. Tribes who become signatories may withdraw from this PA at any time, as
- 255 outlined in Stipulation XXIII.

256 **VII. Cooperating Federal Agencies**

257 Cooperating Federal agencies who recognize TxDOT as the lead agency for an undertaking and
258 notify TxDOT or SHPO in writing may fulfill their obligations under Section 106 according to
259 36 CFR 800.2(a)(2), provided that TxDOT follows the requirements of this PA and the
260 cooperating Federal agency’s undertaking does not have the potential to cause effects to historic
261 properties beyond those considered by TxDOT. TxDOT and SHPO agree to share with each
262 other any written notifications that they receive pursuant to this stipulation.

263 **VIII. Undertakings with No Potential to Cause Effects**

264 Pursuant to 36 CFR 800.3(a)(1), FHWA defines undertakings to include any construction
265 activities. Non-undertakings are those that require no construction, such as planning or design
266 activities.

267 **IX. Undertakings with Minimal Potential to Cause Effects**

- 268 A. The signatories to this PA agree that certain undertakings have minimal potential
- 269 to cause effects on historic properties.
- 270 B. Undertaking types listed in Appendix 3 (“unscreened undertakings”) meet these
- 271 requirements and shall be reviewed, documented, and approved under Section 106 by
- 272 following the procedures described in Appendices 2 and 3.
- 273 C. Undertaking types listed in Appendix 4 (“screened undertakings”) shall be
- 274 reviewed, documented, and approved under Section 106 by following the procedures
- 275 described in Appendices 2 and 4.

276 **X. Undertakings with the potential to cause effects per 36 CFR 800.16(i)**

277 For undertaking types that are neither listed in Appendix 3 nor in Appendix 4, TxDOT
278 shall follow the procedures in Appendices 5 and 6.

279 **XI. Treatment of Adverse Effects per 36 CFR 800.5(a)(1)**

- 280 A. TxDOT shall consult with the SHPO and other consulting parties on FAHP-
- 281 funded undertakings with the potential to cause adverse effects.
- 282 B. TxDOT will notify ACHP on undertakings with the potential to cause adverse
- 283 effects.
 - 284 1. TxDOT will provide ACHP with copies of technical reports and
 - 285 consultation correspondence produced per the standards and procedures of
 - 286 Appendices 5 and 6.
 - 287 2. ACHP will respond within fifteen (15) calendar days with a determination
 - 288 regarding whether ACHP will join consultation.
- 289 C. In cases where TxDOT determines through consultation that adverse effects to a
- 290 historic property may occur, TxDOT shall further consult with appropriate parties in
- 291 accordance with 36 CFR 800.2 and 800.6 to resolve adverse effects, and TxDOT shall

292 document its decision regarding the resolution of adverse effects. Except as provided in
 293 subsections (1) and (2) of this section, TxDOT will execute a standard two-party
 294 agreement with the SHPO that documents this commitment, following consultation with
 295 SHPO and appropriate notification and documentation provided to ACHP.

296 1. If a project is controversial or consulting parties have played a significant
 297 role in the resolution of adverse effects, TxDOT may memorialize the agreed
 298 upon resolution of adverse effects in a Memorandum of Agreement (MOA)
 299 executed by TxDOT and SHPO. TxDOT or SHPO may invite other parties to
 300 become a signatory to the MOA.

301 2. If the resolution of adverse effects requires actions to be taken by a party
 302 other than TxDOT, TxDOT shall memorialize the agreed upon resolution of
 303 adverse effects in a MOA executed by TxDOT, SHPO, and any other parties with
 304 responsibilities for some aspect of the resolution of adverse effects.

305 3. TxDOT will file any MOA executed under subsections (1) or (2) of this
 306 section with the ACHP.

307 D. TxDOT commits to finding mitigation solutions in response to consulting party
 308 needs and preservation goals. TxDOT's mitigation consultation will include
 309 consideration of components identified by the public as meaningful and useful as
 310 documented in the 2020 Environmental Statewide Public Engagement Plan (ESPEP).
 311 Where possible, TxDOT will seek to develop mitigation that could compensate for a
 312 number of effects to similar historic properties, such as certain historic bridges or certain
 313 archeological sites following the procedures in Appendix 6.

314 **XII. Consultation**

315 TxDOT will adhere to the following stipulations in partial satisfaction of the consultation
 316 requirements of Section 106 and 36 CFR Part 800. Appendix 6 provides comprehensive
 317 details regarding TxDOT's review and consultation process.

318 A. Consulting parties. Consulting parties will be identified as described in Appendix
 319 6, Stipulation 1.

320 1. TxDOT and FHWA have developed and executed agreements for the
 321 conduct of consultation with federally recognized Tribes in accordance with 36
 322 CFR 800.2(c)(2)(ii)(E).

323 2. TxDOT, to the extent authorized under a separate agreement with FHWA,
 324 shall consult with federally recognized Tribes regarding FAHP-funded
 325 undertakings based on those Tribes' areas of interest, previously developed in
 326 consultation with Tribes (see Appendix 6, Stipulation 1(a)). Documentation of the
 327 areas of interest shall be revised as needed in consultation with the affected Tribes
 328 and maintained at TxDOT.

329 3. TxDOT will satisfy its obligation to consult with the general public on
 330 FAHP-funded undertakings per 36 CFR 800.2(d) through incorporating Section
 331 106 consultation requirements into public participation programs carried out
 332 under NEPA, and 43 TAC 2, Subchapter E. Communications to the public will

333 reflect the nature and complexity of the undertaking and its effects on historic
334 properties.

335 4. TxDOT need not conduct individual, project-specific consultation with
336 SHPO or other consulting parties for undertakings with no potential to adversely
337 affect historic properties. Undertakings with no potential to adversely affect
338 historic properties include:

- 339 a) those projects listed in Appendices 3 and 4, and
- 340 b) those projects for which TxDOT determines through identification
341 efforts that no historic properties are present per Appendix 6, Stipulation
342 1(h).

343 B. TxDOT may consult separately with SHPO and other consulting parties regarding
344 archeological and non-archeological historic properties. See Appendix 6, Stipulations 1(e
345 and g).

346 1. SHPO comments on archeological properties shall not be applied to non-
347 archeological properties, and vice-versa. See Appendix 6, Stipulation 1(g).

348 2. Completion of consultation on archeological properties shall not constitute
349 completion of consultation on non-archeological properties, and completion of
350 consultation on non-archeological properties shall not constitute completion of
351 consultation on archeological properties.

352 C. Per 36 CFR 800.8, TxDOT may conduct early consultation with SHPO and other
353 parties in order to coordinate compliance with Section 106 and the requirements of the
354 NEPA (42 USC 4321 through 4347 et seq.) and to assist in identification of historic
355 properties. Where no historic properties are identified, TxDOT need not conduct
356 additional coordination. See also Appendix 6, Stipulation 3.

357 D. TxDOT shall, when appropriate for streamlining the consultation process, address
358 multiple steps under 36 CFR 800.3 through 800.6 in its consultation with appropriate
359 parties. See Appendix 6, Stipulations 3(b) and 4(c).

360 E. In the event that required fieldwork cannot be completed when either access is
361 denied to private lands by landowner refusal to grant right-of-entry or natural conditions
362 (e.g., flooding, global pandemic) prevent the fieldwork from being conducted prior to the
363 environmental decision:

364 1. Consultation may be deferred regarding the identification, evaluation and
365 treatment of archeological properties within the APE until right-of-way is
366 acquired or access otherwise obtained. In this case, pursuant to 36 CFR
367 800.4(b)(2), TxDOT may proceed with project planning, NEPA activities, and
368 right-of-way acquisition prior to completing the identification and evaluation of
369 archaeological properties in the APE, provided that:

- 370 a) when TxDOT obtains access, it will complete the requirements of
371 this PA; and

372 b) in consultation with SHPO and other consulting parties, if any,
373 TxDOT considers alternatives to avoid, minimize or mitigate any adverse
374 effects that may occur to archaeological historic properties; and

375 c) TxDOT takes no action that precludes the consideration of the
376 undertaking's effects to archaeological historic properties.

377 2. Non-archeological historic property consultation may be based on findings
378 drawn from additional archival research into a property's history, including but
379 not limited to public involvement results, aerial photography analysis, deed
380 research, and links to specific historic contexts.

381 a) Properties will be considered non-historic based on conclusive
382 findings that demonstrate a lack of historical significance within specific
383 historic contexts or compromised aspects of integrity.

384 b) Properties will be assumed historic for purposes of coordination
385 for a project if the research does not support conclusive findings on
386 historical significance or compromised aspects of integrity.

387 c) Reevaluation of these findings at a future date may be warranted
388 with additional research.

389 F. In the event of a dispute during consultation regarding proposed findings or
390 proposals for resolution of adverse effects among TxDOT, SHPO, and other consulting
391 parties (see Appendix 6, Stipulation 5(f)):

392 1. TxDOT's Director of the Environmental Affairs Division or his/her
393 delegate will continue consulting with representatives of the consulting party.

394 2. SHPO will be represented by the Executive Director of the Texas
395 Historical Commission or his/her delegate during any dispute resolution meetings
396 in which it is involved.

397 3. If these dispute resolution meetings do not resolve the issue, the ordinary
398 dispute resolution procedures in 36 CFR 800 shall be followed.

399 **XIII. Historic Bridge Program Inventory**

400 The historic bridge program currently consists of the historic context and survey of all bridges
401 both owned and inspected by TxDOT dating from 1965 and earlier. The bridges are evaluated for
402 NRHP eligibility with each update of the inventory in batches based on bridge type or the period
403 of study.

404 A. TxDOT completed the following bridge surveys and historic contexts to
405 determine, in consultation with the FHWA, the SHPO, and other consulting parties,
406 which bridges are eligible or not eligible for listing in the NRHP.

407 1. Texas Historic Bridge Inventory, Survey of Non-Truss Structures, 2001.
408 TxDOT began updating this inventory of non-truss bridges constructed prior to
409 1946 in 2021.

410 2. Texas Historic Bridge Inventory, Evaluation of 1945–1965 Bridges, 2010.

411 3. Statewide Vehicular Truss Bridge Reevaluation, 2013.

- 412 4. Historic Road Infrastructure of Texas, 1866–1965, Multiple Property
 413 Documentation Form, 2015.
- 414 5. NRHP Listed and Eligible Bridges of Texas, GIS map and portal showing
 415 the location of all TxDOT-inventoried and listed bridges in the state.
- 416 B. Once the SHPO concurs with the results of the context, survey, and eligibility
 417 recommendations for each bridge in the TxDOT inventory, additional individual
 418 evaluation of the eligibility of a given bridge is not required on a project-by-project basis,
 419 except as detailed in TxDOT’s Environmental Compliance toolkits.
- 420 C. Based on consultation with the SHPO, TxDOT determined that all remaining off-
 421 system metal truss bridges have NRHP significance. When part of a FAHP undertaking,
 422 each bridge shall be further evaluated to determine if the bridge retains sufficient historic
 423 integrity to convey that significance, especially in the aspects of design, materials, and
 424 workmanship.
- 425 D. TxDOT will implement the following procedures to update and address revisions
 426 to the inventory:
- 427 1. If new or additional information is found that may impact the NRHP
 428 eligibility status of a particular bridge, TxDOT shall provide the information,
 429 along with an eligibility recommendation based in the state’s approved historic
 430 contexts to the SHPO and the Historic Bridge Foundation, at a minimum. TxDOT
 431 will not change the eligibility of a bridge until consultation is concluded. Any
 432 changes to bridge eligibility will be reflected in the GIS portal, NRHP Listed and
 433 Eligible Bridges of Texas.
- 434 2. TxDOT or its consulting parties may identify a pre-1965 bridge as eligible
 435 for the NRHP under criteria other than Criterion C, which was used to determine
 436 eligibility of the bridges in the TxDOT inventory. This additional information on
 437 the significance of a particular bridge will be evaluated under the above section
 438 for new or additional information.
- 439 E. Beginning no later than two years after execution of this PA, TxDOT will review
 440 the population of bridges, which may result in the reevaluation of all or a portion of these
 441 bridges. Ideally, the review will update the inventory to include bridges at least 45 years
 442 old at the time of the review. TxDOT will prepare a written report summarizing the
 443 review, will prepare a report for any bridge population reevaluation, and will provide the
 444 reports to the signatories to this Agreement and to the public. The report will include
 445 recommended timing for future reviews of bridge population.
- 446 F. TxDOT may amend its list of historic bridges based on the passage of time or
 447 upon the changing perspective of significance.

448 **XIV. Treatment of Historic Bridges**

- 449 A. The following activities have a minimal potential to affect a historic bridge and do
 450 not need screening:
- 451 1. Routine maintenance activities, including:
- 452 a) Asphalt overlays
- 453 b) Cleaning deck drains
- 454 c) Removing vegetation from the bridge
- 455 d) Sealing concrete
- 456 e) Cleaning the bridge
- 457

- 458 2. Installing rip rap and other scour protection
- 459 B. Any historic bridge undertaking that is not included in the management plans
- 460 detailed in this Agreement will be treated under Stipulation X of this Agreement.
- 461

462 **XV. Planning for Certain Historic Bridge Types**

463 A. On-system metal truss bridges are those owned, maintained, and inspected by
 464 TxDOT as part of the TxDOT state system. These bridges are divided into two groups as
 465 described in Appendix 7. TxDOT conducted engineering and feasibility reviews of each
 466 bridge in this section and prioritized the bridges in Group A for continued preservation.

467 1. TxDOT commits to the following stipulations for the Group A on-system
 468 metal truss bridges:

469 a) Based on the bridge inspection cycle, TxDOT will perform routine
 470 maintenance of the historic bridges.

471 b) Based on the bridge inspection cycle, TxDOT will perform
 472 necessary rehabilitation of the bridge, using the Secretary of the Interior’s
 473 *Standards for Rehabilitation* (36 CFR 67).

474 c) If a historic bridge in this group suffers a catastrophic failure,
 475 TxDOT will:

476 (1) Reevaluate the eligibility of bridge, recognizing that
 477 historic integrity may be lost based upon the type of failure.

478 (2) TxDOT will assess the following alternatives to determine
 479 how to address the failure. TxDOT will not assess an alternative
 480 that allows leaving the historic bridge that has suffered a
 481 catastrophic failure in place as a monument or moving the historic
 482 bridge, as neither alternative is prudent or feasible:

483 (a) No build—leave the historic bridge in place without
 484 rehabilitation or further work.

485 (b) Rehabilitation for continued two-way traffic—
 486 Rehabilitation of the historic bridge should meet the
 487 Secretary of the Interior’s *Standards for Rehabilitation* (36
 488 CFR 67).

489 (c) Rehabilitation for use as part of a one-way pair—
 490 rehabilitation of the historic bridge should meet the
 491 Secretary of the Interior’s *Standards for Rehabilitation* (36
 492 CFR 67).

493 (d) Bypassing the historic bridge using an alternative
 494 alignment—assess converting the historic bridge to
 495 pedestrian use.

496 (e) Replacement of the existing bridge on the existing
 497 alignment—assess demolition of the historic bridge.

498 (3) As part of the alternatives analysis, TxDOT will develop a
 499 list of potential consulting parties to discuss the alternatives.
 500 Consultation shall follow the procedures detailed in TxDOT’s
 501 Environmental Compliance toolkits and in Appendix 6 of this
 502 Agreement.

- 503 2. TxDOT commits to the following stipulations for the Group B on-system
504 metal truss bridges:
- 505 a) Based on the bridge inspection cycle, TxDOT will perform routine
506 maintenance of the historic bridges.
- 507 b) Based on the bridge inspection cycle, TxDOT will determine when
508 significant rehabilitation or replacement of the bridge is necessary. At that
509 time, TxDOT will plan for the replacement of the bridge.
- 510 c) When it is time to replace the historic bridge, TxDOT will assess
511 the following alternatives. TxDOT will not assess an alternative that
512 allows leaving the historic bridge in place as a monument as the
513 alternative is not prudent or feasible:
- 514 (1) No build—leave the historic bridge in place without
515 rehabilitation or further work.
- 516 (2) Rehabilitation for continued two-way traffic—
517 Rehabilitation of the historic bridge should meet the Secretary of
518 the Interior’s *Standards for Rehabilitation* (36 CFR 67).
- 519 (3) Bypassing the historic bridge using an alternative
520 alignment—assess converting the historic bridge to pedestrian use.
- 521 (4) Replacement of the existing bridge on the existing
522 alignment—assess demolition of the historic bridge.
- 523 3. For any proposed replacement of a historic bridge in Group B, TxDOT
524 shall follow the consultation procedures of this agreement. As programmatic
525 mitigation for future adverse effects to the Group B historic bridges, TxDOT will
526 create an education program to assist local history museums and organizations to
527 talk about bridges, transportation history, and other Science, Technology,
528 Engineering, and Mathematics (STEM) topics in their museum or their
529 organization’s educational programs. This educational program shall involve
530 training, workshops, webinars, resources, lesson plans or curriculum, and
531 educational activities, and shall be developed in consultation with the SHPO.
- 532 4. Project-specific mitigation shall be determined based upon consultation
533 and shall be documented in accordance with Stipulation XI as appropriate.
534 Standard project-specific mitigation may include the following, but other
535 mitigation measures may be agreed upon through consultation:
- 536 a) Transferring ownership and maintenance responsibilities to a
537 responsible entity, based upon any proposals and that entity’s ability to
538 preserve and maintain the historic bridge at a new location.
- 539 b) Salvaging a portion of the bridge for display or other use, based
540 upon any proposals from the consulting parties. This may include
541 salvaging the historic bridge plaques, a portion of the railing, or one truss
542 span of a multi-truss span.
- 543 c) Creating bridge-specific interpretation, which could result in
544 outdoor interpretation panels, museum exhibits, digital exhibits or other
545 outcomes, based upon consultation.
- 546 d) Creating an educational program to assist local history museums
547 and organizations to talk about bridges, transportation history, and other
548 Science, Technology, Engineering, and Mathematics (STEM) topics in

549 their museum or organization education programs. This educational
550 program shall involve training, workshops, webinars, resources, lesson
551 plans or curriculum, and educational activities. This program shall be
552 developed in consultation with the SHPO.

553 B. TxDOT completed an inventory of all bridges built between 1945 and 1965 in
554 2010. This inventory included all bridges inspected by TxDOT. As a result, FHWA,
555 TxDOT, the SHPO, and the ACHP developed a the Post-1945 Bridge PA resulting in the
556 management planning for these types of bridges.

557 1. Group I bridges are those bridges determined as Exceptionally Significant.
558 TxDOT commits to the following stipulations for Group I bridges:

559 a) Based on the bridge inspection cycle, TxDOT will perform routine
560 maintenance of any on-system historic bridges. TxDOT shall provide all
561 bridge inspection reports, with recommendations, to any off-system
562 historic bridge owners.

563 b) Based on the bridge inspection cycle, TxDOT will determine when
564 significant rehabilitation or replacement of the Group I bridge is necessary
565 or recommended.

566 c) TxDOT will assess the following alternatives to determine how to
567 address the inspection findings for rehabilitation or replacement:

568 (1) No build—leave the historic bridge in place without
569 rehabilitation or further work.

570 (2) Rehabilitation for continued two-way traffic—
571 Rehabilitation of the historic bridge should meet the Secretary of
572 the Interior’s *Standards for Rehabilitation* (36 CFR 67).

573 (3) Rehabilitation for use as part of a one-way pair—
574 rehabilitation of the historic bridge should meet the Secretary of
575 the Interior’s *Standards for Rehabilitation* (36 CFR 67).

576 (4) Bypassing the historic bridge using an alternative
577 alignment—assess leaving the historic bridge in place as a
578 “monument” or converting the historic bridge to pedestrian use.

579 (5) Replacement of the existing bridge on the existing
580 alignment—assess moving the historic bridge prior to replacement
581 and demolition of the historic bridge.

582 d) As part of the alternatives analysis, TxDOT will develop a list of
583 potential consulting parties to discuss the alternatives, including the
584 feasibility of finding a new owner for the historic bridge and moving the
585 historic bridge to a new location. Consultation shall follow the procedures
586 detailed in TxDOT’s Environmental Compliance toolkits and in Appendix
587 6 of this Agreement.

588 2. Group II bridges are those historic bridges that are significant when
589 considered together as a group. The significance of the Group II bridges lies in
590 their history, rather than their potential for preservation in place. TxDOT commits
591 to the following stipulations for Group II bridges:

592 a) Based on the bridge inspection cycle, TxDOT will perform routine
593 maintenance of any on-system historic bridges. TxDOT shall provide all

- 594 bridge inspection reports, with recommendations, to any off-system
 595 historic bridge owners.
- 596 b) Based on the bridge inspection cycle, TxDOT will determine when
 597 significant rehabilitation or replacement of the bridge is necessary or
 598 recommended. At that time, TxDOT will plan for the replacement of the
 599 bridge.
- 600 c) When it is time to replace the Group II historic bridge, TxDOT
 601 will assess the following alternatives as required by 49 USC 303 and 23
 602 USC 138, typically referred to as Section 4(f) of the US DOT Act of 1966
 603 (hereafter referred to as Section 4(f)). TxDOT will not assess an
 604 alternative that allows leaving the historic bridge in place as a monument,
 605 as this alternative is not prudent or feasible:
- 606 (1) No build—leave the historic bridge in place without
 607 rehabilitation or further work.
- 608 (2) Rehabilitation for continued two-way traffic—
 609 Rehabilitation of the historic bridge should attempt to meet the
 610 Secretary of the Interior’s *Standards for Rehabilitation* (36 CFR
 611 67).
- 612 (3) Bypassing the historic bridge using an alternative
 613 alignment—assess converting the historic bridge to pedestrian use.
- 614 (4) Replacement of the existing bridge on the existing
 615 alignment—assess demolition of the historic bridge.
- 616 d) TxDOT will notify the SHPO, the Historic Bridge Foundation, and
 617 the appropriate County Historical Commission when it proposes
 618 replacement of a Group II bridge.
- 619 e) TxDOT completed programmatic mitigation for the replacement of
 620 all bridges in Group II. This programmatic mitigation is a public-facing
 621 education campaign about these bridges, which includes videos, a
 622 webpage, glossaries, photographs, educational activities, and continued
 623 promotion of these materials. TxDOT will not conduct any further
 624 mitigation for the replacement of any Group II bridge unless TxDOT
 625 identifies a responsible owner as identified in TxDOT’s Environmental
 626 Compliance toolkits willing to relocate the bridge or a portion of the
 627 bridge.
- 628 3. Group III bridges are those bridges that are significant primarily for their
 629 technological innovations. The significance of these bridges lies in their physical
 630 representation of these innovations, rather than their potential for preservation in
 631 place. TxDOT commits to the following stipulations for Group III bridges:
- 632 a) Based on the bridge inspection cycle, TxDOT will perform routine
 633 maintenance of any on-system historic bridges. TxDOT shall provide all
 634 bridge inspection reports, with recommendations, to any off-system
 635 historic bridge owners.
- 636 b) Based on the bridge inspection cycle, TxDOT will determine when
 637 significant rehabilitation or replacement of the bridge is necessary or
 638 recommended. At that time, TxDOT will plan for the replacement of the
 639 bridge.

640 c) When it is time to replace the historic Group III bridge, TxDOT
 641 will assess the following alternatives as required by Section 4(f). TxDOT
 642 will not assess an alternative that allows leaving the historic bridge in
 643 place as a monument, as this alternative is not prudent or feasible:

644 (1) No build—leave the historic bridge in place without
 645 rehabilitation or further work.

646 (2) Rehabilitation for continued two-way traffic—
 647 Rehabilitation of the historic bridge should attempt to meet the
 648 Secretary of the Interior’s *Standards for Rehabilitation* (36 CFR
 649 67).

650 (3) Bypassing the historic bridge using an alternative
 651 alignment—assess converting the historic bridge to pedestrian use.

652 (4) Replacement of the existing bridge on the existing
 653 alignment—assess demolition of the historic bridge.

654 d) TxDOT will notify the SHPO, the Historic Bridge Foundation, and
 655 the appropriate County Historical Commission when it proposes
 656 replacement of a Group III bridge.

657 e) TxDOT completed mitigation for the replacement of all bridges in
 658 Group III. The mitigation for this group of bridges included the
 659 documentation of each historic bridge in TxDOT’s inventory and the
 660 development of a management plan for historic bridges built between
 661 1945 and 1965. TxDOT will not conduct any further mitigation for the
 662 replacement of any Group III bridge unless TxDOT identifies a
 663 responsible owner as identified in TxDOT’s Environmental Compliance
 664 toolkits willing to relocate the bridge or a portion of the bridge.
 665

666 **XVI. Historic Bridge Preservation Planning, Stewardship, and Education**

667 A. As bridge types are re-inventoried and re-assessed, TxDOT shall develop a
 668 management plan for the treatment of the historic bridges within that bridge type.
 669 Management planning shall prioritize the preservation of significant bridges and those
 670 important to local communities. TxDOT shall consult with appropriate consulting parties
 671 on the development of all future management plans.

672 B. To assist potential consulting parties in understanding the rich history of Texas’s
 673 historic bridges and innovations, TxDOT shall host and maintain a webpage on the
 674 history of Texas bridges. At a minimum, the webpage shall include:

675 1. Histories of the types of bridges found in Texas

676 2. Information for owners of historic bridges

677 3. Historic bridge preservation success stories

678 4. Information and resources for responsibility entities interested in acquiring
 679 a historic bridge

680 5. Links to consulting party websites

681 6. Ways to contact TxDOT’s historic bridge program managers

682 C. TxDOT shall maintain a list of interested recipients with a potential use for a
 683 relocated historic bridge, should one become available. TxDOT will continue to solicit
 684 organizations for inclusion on this list and will make the list available to all TxDOT staff
 685 involved in the historic bridge process.

686 D. TxDOT shall periodically update and maintain its *Historic Bridge Manual* to
687 provide detailed steps for the historic bridge process for TxDOT engineers and designers.
688 In addition, TxDOT will identify training opportunities on historic bridges for engineers,
689 designers, and consultants as appropriate.

690

691 **XVII. Emergency Undertakings**

692 For emergency situations such as hazardous materials incident; tree, wind, water,
693 earthquake, fire, or landslide damage; sudden failure of water, sewer, storm drainage,
694 electrical, or telephone lines; or the failure of a roadway or bridge structure; TxDOT shall
695 undertake emergency actions based on the following parameters.

696 A. For emergencies or disasters that have been formally declared by the President,
697 Texas governor, or a county judge in the case of local emergencies, as stipulated in 36
698 CFR 800.12(d) and Texas Government Code Section 418.004(1), TxDOT will determine
699 whether emergency actions involve activities with the potential to affect historic
700 properties.

701 1. TxDOT is not required to notify or consult with SHPO, Tribes, and other
702 consulting parties for any emergency actions that conform to a type that does not
703 require review and consultation, as described in Appendices 2 and 3.

704 2. If the emergency action is a type with potential to affect historic
705 properties, and the action is initiated within thirty (30) calendar days after the
706 formal declaration of the emergency, TxDOT shall notify the SHPO, Tribes, and
707 other consulting parties as appropriate as soon as possible under the
708 circumstances.

709 a) In the event of a large-scale disaster where local communications
710 could be interrupted, TxDOT may undertake facility repairs or
711 stabilization without prior consultation with the SHPO, Tribes, and other
712 consulting parties as appropriate. Where possible, TxDOT will perform
713 emergency actions in a manner that does not foreclose future preservation
714 or restoration of historic properties affected by the actions.

715 b) Otherwise, TxDOT will consult with the SHPO, Tribes, and other
716 consulting parties as appropriate on all emergency undertakings that
717 affected or will affect historic properties.

718 B. For emergency actions initiated more than thirty (30) calendar days after a formal
719 declaration of an emergency or disaster as described above, or for emergency situations
720 not part of a formally declared disaster, the standard consultation processes outlined in
721 this PA apply.

722 **XVIII. Post-Review Discoveries**

723 When potential historic properties are identified during implementation of an undertaking
724 or unanticipated effects on historic properties are determined, the process for addressing
725 the discovery shall be as follows:

726 A. Work in the immediate area of the discovery shall cease, and TxDOT shall be
727 notified of the discovery; if appropriate, security measures will be initiated to protect the
728 discovery.

729 B. TxDOT will notify the SHPO and, if the property or properties may be of
730 religious or cultural significance to federally recognized Tribes, TxDOT will notify such
731 Tribes within 48 hours of the discovery.

732 C. For unanticipated discoveries of archeological materials that do not contain
733 human burials, TxDOT will undertake the following additional actions;

734 1. TxDOT will verify that the discovery does not contain human burials.

735 2. Upon confirmation that the discovery does not contain human burials,
736 TxDOT may allow construction at the site to proceed.

737 3. TxDOT shall complete or update a State of Texas Archeological Site Data
738 Form based on the available information.

739 4. TxDOT will find that the property comprises an archeological historic
740 property that is valuable chiefly for the data that it contains and does not warrant
741 preservation in place.

742 5. TxDOT will develop a mitigation proposal to resolve the adverse effects
743 of the undertaking on the archeological historic property. This proposal shall not
744 necessarily involve any further excavations at the historic property.

745 6. The level of effort described in the proposal shall be commensurate with
746 the nature of the resource, based on the available information.

747 7. TxDOT will develop the proposal in consultation with SHPO and other
748 consulting parties with a demonstrated interest in the undertaking's effects,
749 including federally recognized Tribes, following the consultation procedures for
750 resolution of adverse effects described under 36 CFR Part 800 and this PA.

751 D. For unanticipated discoveries that include, but are not limited to, human burials,
752 TxDOT shall follow the post-review discovery procedures of 36 CFR Part 800.13 and the
753 applicable requirements of the Health and Safety Code, Title 1, Section 711, with the
754 following amendments and additions

755 1. The ACHP will not be included in the consultation unless the property is
756 adversely affected.

757 2. Work may resume in areas outside the boundaries of the cemetery.

758 3. Work may resume in a cemetery area if that cemetery has been removed in
759 compliance with 36 CFR 800 and the applicable requirements of the Health and
760 Safety Code, Title 1, Section 711.

761 E. Upon the discovery of a previously unidentified historic property or the
762 determination of unanticipated effects on non-archeological historic properties, TxDOT
763 will resume consultation regarding project effects, following the procedures of Appendix
764 6. Construction may resume following completion of consultation in accordance with
765 Appendix 6.

766 **XIX. Amendment**

767 A. Any signatory to this PA may at any time propose amendments, whereupon all
768 signatories shall consult to consider such amendment.

769 B. Upon written request of any signatory to the other signatories to approve a
770 proposed amendment, the approval and adoption requires the concurrence of all signatory
771 parties. Such concurrence may be indicated by written concurrence or lack of written
772 objection within forty-five (45) calendar days, with the exception of the FHWA as
773 provided for in the NEPA Assignment MOU.

774

775 **XX. Review and Reporting**

776 Pursuant to the terms of the NEPA Assignment MOU, TxDOT is responsible for
777 providing FHWA any information FHWA considers necessary to ensure that TxDOT is
778 adequately carrying out its assigned responsibilities. Consequently, TxDOT agrees to
779 provide file access for the purposes of monitoring the effectiveness of this agreement by
780 the signatories.

781 A. Upon request from any signatory to this agreement, TxDOT shall furnish project
782 information in the format and on the schedule requested.

783 B. The SHPO shall meet quarterly with TxDOT to assess the effectiveness of the
784 programs, projects, and activities developed to facilitate this agreement and to assist with
785 the development or implementation of such programs, projects, and activities.

786 C. TxDOT will make summary information of its activities under this PA available
787 to the general public.

788 1. The summary information will be provided on an annual basis.

789 2. TxDOT will make summary information available by December 1st of
790 each calendar year.

791 3. The summary information will cover the activities during the previous
792 fiscal year (September through August).

793 4. The summaries may separately address archeological and non-
794 archeological historic properties

795 5. The summaries will include both measures that quantify the scale and
796 effectiveness of the program and highlights from noteworthy projects or program-
797 initiatives.

798 6. The summaries may take any form, including paper copies and electronic
799 formats, as long as they are accessible to the public.

800 **XXI. Alternative Consultation Options**

801 In the event that the terms of this PA cannot be met for specific individual undertakings,
802 consultation shall comply with standard procedures outlined in 36 CFR 800.3 through
803 800.6.

804 **XXII. Termination**

805 A. A signatory may terminate the PA by submitting a thirty (30)-calendar-day notice
806 in writing to all signatory parties, provided the parties continue to consult during the
807 period prior to termination to seek agreement on amendments and other actions that
808 would avoid termination.

809 B. Termination requires unanimous approval from all signatory parties; parties may
810 also consider withdrawal as an alternative to termination.

811 C. A signatory proposing termination shall provide to the other signatories directly
812 or through one of the other parties:

813 1. Written notice initiating termination, and

814 2. Written documentation of attempts to amend under the parameters of this
815 PA.

816 D. In the event of termination of this PA, consultation for undertakings shall comply
817 with the standard procedures outlined in 36 CFR 800.3 through 36 CFR 800.6 through
818 TxDOT as assigned by FHWA under the NEPA Assignment MOU, or under FHWA's
819 authority where their responsibilities have not been assigned to and assumed by TxDOT.

820 **XXIII. Withdrawal**

821 A. A signatory may notify the other signatories that it is fully withdrawing from
822 participation in this PA, and TxDOT will continue to consult with them under the
823 standard consultation process.

824 B. Withdrawal from this PA by a signatory does not terminate the PA.

825 C. At any time that this PA remains in effect, a signatory that has withdrawn from
826 the Agreement may notify the signatories in writing that it has rescinded its notice of
827 withdrawing from participating in this PA.

828 **XXIV. Duration of this Agreement**

829 This PA remains in effect for a period of five (5) years from the date of its execution,
830 which will be the date of the final signature of FHWA, TxDOT, and SHPO, unless it is
831 terminated pursuant to Stipulation XXII. For the duration of time this PA is in effect,
832 TxDOT agrees to post a copy so that it is publicly available on its website. For extensions
833 of this agreement, the following process will be used.

834 A. No later than sixty (60) calendar days prior to the conclusion of the five (5)-year
835 period, TxDOT will notify all signatories in writing that it seeks to extend this PA.

836 B. If there are no objections from any signatories, the term of this PA will be
837 extended by using the FHWA and ACHP extension process.

838 C. If any signatory objects to extending this PA or proposes amendments, TxDOT
839 will consult with the signatory to consider amendments or other actions to avoid
840 termination.

841 D. The sixty (60)-day notification requirement in this Stipulation may be waived by
842 the parties.

843 **XXV. Severability**

844 Should a provision of this Agreement be deemed contrary to, or in violation of, an applicable U.S.,
845 State, or tribal law or regulation, that provision will be deemed null and void, and all other provisions
846 of the Agreement will remain in effect.

847

848 **EXECUTION AND IMPLEMENTATION** of this PA evidences that the FHWA and TxDOT,
849 when it is deemed to be a federal agency, have afforded the ACHP a reasonable opportunity to
850 comment on FAHP-funded undertakings in Texas, and that the FHWA and TxDOT have taken
851 into account the effects of their subject undertakings on historic properties.

852

853 **SIGNATORIES** include the Federal Highway Administration, Advisory Council on Historic
854 Preservation, Texas State Historic Preservation Officer (Texas Historical Commission), and the
855 Texas Department of Transportation. Separate signature pages for each agency follow.

856

857 **FEDERAL HIGHWAY ADMINISTRATION**

858

859 By:  _____

Date: 08-31-2023

860 Edward Ofori, Acting Division Administrator

861

862

863 **EXECUTION AND IMPLEMENTATION**

864

865 **SIGNATORIES** include the Federal Highway Administration, Advisory Council on Historic
866 Preservation, Texas State Historic Preservation Officer (Texas Historical Commission), and the
867 Texas Department of Transportation, with separate pages for each agency provided.

868

869 **ADVISORY COUNCIL ON HISTORIC PRESERVATION**

870

871 By:  _____ Date: 9.25.2023

872 Reid Nelson, Executive Director

873

874

875 **EXECUTION AND IMPLEMENTATION**

876

877 **SIGNATORIES** include the Federal Highway Administration, Advisory Council on Historic
878 Preservation, Texas State Historic Preservation Officer (Texas Historical Commission), and the
879 Texas Department of Transportation, with separate pages for each agency provided.

880

881 **TEXAS STATE HISTORIC PRESERVATION OFFICER**

882

883 By:  _____ Date: 8/31/2023
884 A2A9711769D2462...
Mark Wolfe, Executive Director

885

886

887 **EXECUTION AND IMPLEMENTATION**

888

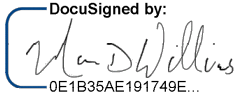
889 **SIGNATORIES** include the Federal Highway Administration, Advisory Council on Historic
890 Preservation, Texas State Historic Preservation Officer (Texas Historical Commission), and the
891 Texas Department of Transportation, with separate pages for each agency provided.

892

893 **TEXAS DEPARTMENT OF TRANSPORTATION**

894

895

DocuSigned by:

0E1B35AE191749E...

896

Dated: 8/30/2023

897

Marc Williams

898

Executive Director

899

Texas Department of Transportation

900

901

902 **CONCURRING PARTY:**

903

904

905 **HISTORIC BRIDGE FOUNDATION**

906

907

908 _____ Dated: _____

909 Kitty Henderson

910 President, Board of Directors

911 Historic Bridge Foundation

912

913

914

915
916
917
918
919
920
921
922
923
924
925
926
927
928
929
930
931
932
933
934
935
936
937
938
939
940
941
942
943
944
945
946
947

APPENDIX 1

FEDERALLY RECOGNIZED INDIAN TRIBES, FEDERAL AGENCIES, AND ORGANIZATIONS PROVIDED AN OPPORTUNITY TO REVIEW AND COMMENT ON THIS PROGRAMMATIC AGREEMENT

Tribes

- Absentee Shawnee Tribe of Oklahoma
- Alabama-Coushatta Tribe of Texas
- Alabama-Quassarte Tribal Town
- Apache Tribe of Oklahoma
- Caddo Nation
- Cherokee Nation
- Choctaw Nation of Oklahoma
- Comanche Nation of Oklahoma
- Coushatta Tribe of Louisiana
- Delaware Nation
- Jena Band of Choctaw Indians
- Jicarilla Apache Nation
- Kialegee Tribal Town
- Kickapoo Traditional Tribe of Texas
- Kickapoo Tribe of Oklahoma
- Kiowa Tribe
- Mescalero Apache Tribe
- Muscogee Nation
- Osage Nation
- Poarch Band of Creek Indians
- Seminole Nation of Oklahoma
- Shawnee Tribe
- Thlopthlocco Tribal Town
- Tonkawa Tribe of Oklahoma
- Tunica-Biloxi Tribe of Louisiana
- United Keetoowah Band of Cherokee Indians
- Wichita and Affiliated Tribes

948 Ysleta del Sur Pueblo

949

950 **Federal Agencies**

951 Bureau of Indian Affairs, Southern Plains Regional Office

952 General Services Administration

953 International Boundary and Water Commission

954 Office of the Adjutant General

955 US Army Corps of Engineers, Albuquerque District

956 US Army Corps of Engineers, Fort Worth District

957 US Army Corps of Engineers, Galveston District

958 US Army Corps of Engineers, Tulsa District

959 US Army, Fort Bliss

960 US Army, Fort Hood

961 US Department of Homeland Security (Coast Guard)

962 US Department of Customs and Border Protection

963 US Environmental Protection Agency

964 US Fish and Wildlife Service

965

966 **Local Governments and Non-Profit Organizations**

967 Certified Local Governments

968 County Historical Commissions

969 Main Street Communities

970 Texas Heritage Trails

971

972 Abilene Preservation League

973 AIA Headquarters

974 AIA: College Station Society

975 AIA: Dallas

976 AIA: Houston Society

977 AIA: Lubbock Society

978 AIA: Southwest Texas Archeological Society

979 Archaeological Institute of America: Central Texas (Austin)

980 Austin History Center

- 981 Baytown Historical Preservation Association
- 982 City of Lakeway Heritage Center
- 983 Council of Texas Archeologists
- 984 Cypress Historical Society
- 985 Dallas Historical Society
- 986 Docomomo
- 987 Docomomo North Texas Chapter
- 988 East Texas Historical Association
- 989 Ennis Historical Society
- 990 Franklin County Historical Association
- 991 Galveston Historical Foundation
- 992 Georgetown Texas Heritage Society
- 993 Heritage of Odessa Foundation
- 994 Historic Bridge Foundation
- 995 Historic Fort Worth
- 996 Historic Houston
- 997 Historic Waco Foundation
- 998 Houston Archeological Society
- 999 Houston Mod
- 1000 Jim Ned Valley Heritage Preservation
- 1001 Mid Tex Mod
- 1002 National Trust for Historic Preservation
- 1003 North Texas Archeological Society
- 1004 Old Town Spring Preservation League
- 1005 Paradise Historical Society
- 1006 Parker County Heritage Society
- 1007 Preservation Austin
- 1008 Preservation Dallas
- 1009 Preservation Houston
- 1010 Preservation Texas
- 1011 San Antonio Living History Association
- 1012 Shelby County Historical Society
- 1013 Smith County Historical Society

- 1014 Texarkana Museums System
- 1015 Texas Archeological Society
- 1016 Texas Association of Museums
- 1017 Texas Beyond History
- 1018 Texas Freedom Colonies Project
- 1019 Texas Heritage Trails
- 1020 Texas Historical Foundation
- 1021 The Conservation Society of San Antonio
- 1022 The Friends of Archeology
- 1023 The Heritage Society
- 1024 West Texas Historical Association
- 1025 Wichita County Heritage Society
- 1026 Wilson County Historical Society
- 1027
- 1028 **Historic Bridge Consulting Parties**
- 1029 Historic Bridges Working Group:
- 1030 Denton County Historical Commission
- 1031 Kirk Farris, bridge historian
- 1032 City of Fort Worth Historic Preservation Officer
- 1033 Historic Bridge Foundation
- 1034 Preservation Texas
- 1035 City of San Antonio
- 1036 Texas A&M Engineering Heritage Center
- 1037 Texas Historical Commission
- 1038 Walter P. Moore engineering firm
- 1039
- 1040 Specific On-System Historic Truss Bridges in PA:
- 1041 *County Historical Commissions:*
- 1042 Atascosa
- 1043 Bell
- 1044 Bexar
- 1045 Collingsworth
- 1046 Colorado

- 1047 Comal
- 1048 Crockett
- 1049 DeWitt
- 1050 Fayette
- 1051 Hill
- 1052 Jasper
- 1053 Jefferson
- 1054 Kimble
- 1055 Lampasas
- 1056 Llano
- 1057 Mason
- 1058 Mills
- 1059 Newton
- 1060 Palo Pinto
- 1061 Parker
- 1062 Shackelford
- 1063 Somervell
- 1064 Travis
- 1065 Trinity
- 1066 Val Verde
- 1067 Wharton
- 1068 Wichita
- 1069 Uvalde
- 1070 *Certified Local Governments*
- 1071 Uvalde
- 1072 *Main Street Communities*
- 1073 Cuero
- 1074 La Grange
- 1075 Llano
- 1076 Mineral Wells
- 1077 Seguin
- 1078 Uvalde
- 1079 Weatherford

1080 **APPENDIX 2**

1081

1082 **TxDOT RISK ASSESSMENT AND SCOPING PROCESS**

1083

1084 The following procedures summarize the conditions that trigger different levels of TxDOT
 1085 review. TxDOT follows separate procedures regarding potential effects on archeological and
 1086 non-archeological historic properties, since proposed projects do not necessarily affect such
 1087 resources in the same manner. All evaluations thus begin with a consideration of the project and
 1088 whether that project is of a type that has potential to cause effects to historic properties.

1089 **Risk Assessment for Potential Effects on Archeological Historic Properties**

- 1090
- 1091 • TxDOT staff review project descriptions and other project information to evaluate
 1092 whether the project conforms to a type with no potential to cause effects to historic
 1093 properties, a type listed in Appendix 3 as a project with minimal potential to cause effects
 1094 to archeological historic properties or to a type listed in Appendix 4 as a type that has low
 potential to cause effects to archeological historic properties.
 - 1095 • Review, consultation, and further documentation are not needed if the project is a non-
 1096 construction project. Such projects have no potential to cause effects to archeological
 1097 historic properties.
 - 1098 • Projects listed in Appendix 3 are “unscreened” projects that also require no further
 1099 review or consultation. Such projects have minimal potential to cause effects to
 1100 archeological historic properties.
 - 1101 • Projects listed in Appendix 4 are “screened” projects with a low potential to cause effects
 1102 to archeological historic properties. Screened projects warrant limited further evaluation.
 1103 As part of this evaluation, TxDOT may follow the documentation standards in Appendix
 1104 5 for screened undertakings and consult with federally recognized Tribes following the
 1105 procedures of Appendix 6. At the discretion of professionally qualified staff, a screened
 1106 project may be subject to a full review following the documentation standards of
 1107 Appendix 5 and consultation following the procedures of Appendix 6.
 - 1108 • If a project is listed neither on Appendix 3 nor on Appendix 4, TxDOT will proceed with
 1109 review of potential project effects, using the review and consultation procedures in
 1110 Appendix 6 and the documentation standards in Appendix 5.

1111 **Risk Assessment for Potential Effects on Non-Archeological Historic Properties**

- 1112
- 1113 • TxDOT staff review project descriptions and other project information to evaluate
 1114 whether the project conforms to a type listed in Appendix 3 as a type that has minimal
 1115 potential to cause effects to non-archeological historic properties or to a type listed in
 1116 Appendix 4 as a type that has low potential to cause effects to non-archeological historic
 properties.
 - 1117 • Projects listed in Appendix 3 are “unscreened” projects that also require no further
 1118 review or consultation. Such projects have minimal potential to cause effects to non-
 1119 archeological historic properties.

- 1120 • Projects listed in Appendix 4 are “screened” projects with a low potential to cause effects
1121 to non-archeological historic properties. Screened projects warrant limited further
1122 evaluation. As part of this evaluation, TxDOT staff will follow guidance including
1123 screening for sensitive properties, as listed below.
- 1124 • If the project is listed in Appendix 4 as a type that has low potential to cause effects to
1125 non-archeological historic properties, TxDOT will evaluate the project to determine if the
1126 APE contains sensitive property types, which are defined for the purposes of this PA to
1127 be those likely to be determined historic or that trigger consideration under state and
1128 federal cultural resource statutes and regulations. TxDOT will maintain guidance related
1129 to identifying sensitive properties, and TxDOT and SHPO will continually update maps
1130 and inventories related to these properties, which include:
- 1131 ○ Properties previously identified as eligible or listed in the NRHP,
 - 1132 ○ county courthouse squares,
 - 1133 ○ downtown commercial areas,
 - 1134 ○ historic residential neighborhoods,
 - 1135 ○ parcels with historic features, such as signage, portals, or gates, in direct-effects
1136 APE,
 - 1137 ○ historic parks,
 - 1138 ○ historic road corridors as mapped, and
 - 1139 ○ certain bridges as defined by TxDOT guidance in TxDOT’s Environmental
1140 Compliance toolkits.
- 1141 • On projects where such sensitive property types occur within the project’s APE, TxDOT
1142 will undertake further evaluation per the documentation standards in Appendix 5 and will
1143 undertake consultation per Stipulation XII.
- 1144 • No further review or consultation will be done on projects where such sensitive property
1145 types do not occur within the project’s APE. TxDOT will retain documentation per the
1146 standards in Appendix 5.
- 1147 • If the project is listed neither on Appendix 3 nor on Appendix 4, TxDOT will proceed
1148 with review of potential project effects, using the review and consultation procedures in
1149 Appendix 6 and the documentation standards in Appendix 5.
- 1150

APPENDIX 3

**UNSCREENED UNDERTAKINGS WITH MINIMAL POTENTIAL TO CAUSE
EFFECTS ON HISTORIC PROPERTIES**

1154 TxDOT staff will review project descriptions and other project information as necessary to
1155 evaluate whether a project is a type with minimal potential to affect historic properties.
1156 Undertaking types listed in this Appendix shall not be further reviewed under Section 106.

1157 This Appendix contains separate lists of undertakings that have minimal potential to cause
1158 effects on archeological versus non-archeological historic properties. These two lists generally
1159 contain different types of projects. Consequently, inclusion of a project type on one list does not
1160 indicate that the project has no potential to cause effects to both archeological and non-
1161 archeological historic properties.

1162 Archeological Historic Properties:

1163 Projects with ground disturbance of less than 100 cubic yards of impacts to undisturbed
1164 sediments, by their nature and definition, have minimal potential to affect archeological historic
1165 properties. Such projects do not require review or consultation regarding their potential project
1166 impacts on archeological historic properties. Refer to the Environmental Compliance toolkits for
1167 guidance on project types and activities likely to qualify as Appendix 3 projects.

1168

1169 Non-Archeological Historic Properties:

1170 Refer to the Environmental Compliance toolkits for guidance on project types and activities
1171 likely to qualify as Appendix 3 projects. These include the following activities that do not require
1172 review or consultation regarding project effects on non-archeological historic properties.
1173 TxDOT's risk analysis, internal policies, and Section 110 of the NHPA inventories shall
1174 reinforce any necessary exceptions for specific historic properties. Per Stipulation XX.A, SHPO
1175 may review project files.

- 1176 1. installation, repair, or replacement of fencing, signage, traffic signals, railroad warning
1177 devices, safety end treatments, cameras and intelligent highway system equipment;
- 1178 2. in-kind repair, replacement of lighting, signals, and non-native stone curbs and gutters;
- 1179 3. maintenance, repair, or replacement of non-brick roadway surfacing, including crack
1180 seal, overlay, milling, grooving, resurfacing, and restriping; and/or
- 1181 4. removing sediment, debris, and vegetation from drainage ditches and swales;
- 1182 5. addition or removal of turn lanes, crossovers, shoulders within current paved right-of-
1183 way (ROW);
- 1184 6. purchase, construction, replacement, or rehabilitation of ferry vehicles;
- 1185 7. installation, repair, or replacement of ferry fenders on docks or fenders/dolphins near
1186 any bridge;
- 1187 8. installation, repair, widening, or replacement of non-masonry culverts less than 45
1188 years old at time of let date;
- 1189 9. replacement, upgrade, and repair of safety barriers, non-irrigation ditches, and storm

- 1190 drains;
- 1191 10. replacement of or repair/rehabilitation of buildings and structures at TxDOT
1192 facilities and picnic and rest areas that are less than 45 years old at time of let date or
1193 have been previously determined to be not eligible for listing in the National
1194 Register of Historic Places (NRHP);
- 1195 11. installation of landscaping and cable barriers within current right-of-way;
- 1196 12. relocation or new construction of turn lanes and exit ramps between existing main
1197 lanes and existing frontage roads within current right-of-way (ROW);
- 1198 13. Electric Vehicle Supply Equipment (EVSE) Level 1, 2, or 3 charging stations if
1199 proposed for existing parking facilities and that meet the following conditions, as
1200 defined by the 2022 ACHP exemption (87 FR 66201):
- 1201 a. use reversible, minimally invasive, non-permanent techniques to affix the
1202 infrastructure;
- 1203 b. minimize ground disturbance to the maximum extent possible, and ensure
1204 that it does not exceed previous levels of documented ground disturbance;
- 1205 c. use the lowest profile EVSE reasonably available that provides the necessary
1206 charging capacity;
- 1207 d. place the EVSE in a minimally visibly intrusive area; and
1208 e. use colors complementary to surrounding environment, where possible.
- 1209 14. Bridge projects comprised of the following activities, as long as such undertakings
1210 are not within or adjacent to a historic district listed in or eligible for listing in the
1211 National Register of Historic Places (NRHP), do not require any new ROW or
1212 permanent easements, and involve one of the types of bridges outlined in items i–v
1213 below:
- 1214 a. Routine maintenance, such as asphalt overlays, cleaning deck drains and
1215 vegetation, sealing concrete, installing rip rap and other scour protection, and
1216 bridge cleaning;
- 1217 b. Widening;
- 1218 c. Upgrades, including rail/guardrail repair and/or replacement;
- 1219 d. Repair;
- 1220 e. Replacement;
- 1221 f. Bridge undertakings in these categories only apply to the following types of
1222 bridges:
- 1223 i. Bridges less than 45 years old at the time of construction letting;
- 1224 ii. Bridges on the interstate system not previously listed in the NRHP or
1225 exempted from Section 106 as part of the Interstate Highway System
1226 (cannot be one of the six on this list:
1227 https://www.environment.fhwa.dot.gov/histpres/highways_list.asp);
- 1228 iii. Concrete or steel bridges constructed after 1945 and part of the
1229 Program Comment for Common Post-1945 Concrete or Steel bridges
1230 (cannot be one of the bridges in Groups I, II, or III as listed in
1231 Appendix 7);
- 1232 iv. Concrete bridge-class culverts; and
1233 v. Timber stringer bridges.

1234

1235

APPENDIX 4

1236

**SCREENED UNDERTAKINGS WITH LOW POTENTIAL TO AFFECT
HISTORIC PROPERTIES**

1237

1238 Consistent with 36 CFR 800.4, some project types require limited identification efforts to
1239 evaluate the undertaking's potential to cause effects on historic properties. TxDOT staff will
1240 review project descriptions and other project information as necessary to evaluate whether a
1241 project is a type with low potential to cause effects on historic properties. The department
1242 delegate has authority to approve a finding that the project has low potential to cause effects on
1243 historic properties. The department delegate shall retain documentation that establishes the basis
1244 of any such findings.

1245 Project types listed in this Appendix will be reviewed following the procedures in Appendix 2.
1246 Undertakings that require no further review under Appendix 2 will be found to have no effect on
1247 historic properties.

1248 This Appendix contains separate lists of undertakings that have low potential to cause effects on
1249 archeological versus non-archeological historic properties. These two lists generally contain
1250 different types of projects. Consequently, inclusion of a project type on one list does not indicate
1251 that the project has low potential to cause effects to both archeological and non-archeological
1252 historic properties.

1253 Further consultation may be required for compliance with other applicable state laws, including
1254 the Antiquities Code of Texas (Texas Natural Resources Code, Chapter 191) and the courthouse
1255 protection provision of Texas Government Code Section 442.008.

1256 Archeological Historic Properties

1257 The following activities do not require additional review or consultation regarding their potential
1258 effects on archeological historic properties, if they meet the criteria specified in Appendix 2.

- 1259 1. project activities occurring entirely within existing right of way in which no archeological
1260 historic properties or cemeteries have been previously documented; and
- 1261 2. design changes for projects that have completed all applicable review and consultation
1262 where the new project elements comprise only one or more of the activities listed in this
1263 section or in the Archeological Historic Properties section of Appendix 3.

1264 Non-Archeological Historic Properties

1265 The following activities do not require additional review or consultation regarding their potential
1266 effects on non-archeological historic properties, if they meet the criteria specified in Appendix 2.

1267

- 1268 1. routine structural maintenance and repair of highways, railroad crossings, picnic areas
1269 and rest areas;
- 1270 2. maintenance, repair, reconfiguration, or correction of roadway geometrics, including
1271 intersection improvements and driveway and street connections;
- 1272 3. maintenance, repair, installation or modification of pedestrian and cycling-related
1273 features, including Americans with Disabilities Act (ADA) ramps and landings, trails,
1274 sidewalks, and bicycle and pedestrian lanes;

- 1275
1276
1277
1278
1279
1280
1281
1282
1283
1284
1285
1286
1287
1288
1289
1290
1291
1292
1293
1294
1295
1296
1297
1298
1299
1300
1301
1302
1303
1304
1305
1306
1307
1308
1309
1310
4. maintenance, repair, relocation, addition, or minor widening of roadway, highway, or freeway features, including turn bays, center turn lanes, shoulders, U-turn bays, right turn lanes, travel lanes, interchanges, medians, and ramps; and/or
 5. maintenance, repair, replacement, or relocation of features at crossings of irrigation canals, including bridges, new vehicle crossings, bank reshaping, pipeline and standpipe components, canal conversion to below-grade siphons, and utilities;
 6. installation of new safety or mast lighting.
 7. intersection improvements within existing ROW outside of historic districts;
 8. Electric Vehicle Supply Equipment (EVSE) not included in 2022 ACHP exemption (87 FR 66201), as outlined in Appendix 3;
 9. Bridge projects comprised of the following activities, as long as such undertakings are not within or adjacent to a historic district listed in or eligible for the NRHP, require less than two (2) acres of new ROW or permanent easements for the project, and involve one of the types of bridges outline in items a-e below:
 - a. Routine maintenance, such as asphalt overlays, cleaning deck drains and vegetation, sealing concrete, installing rip rap and other scour protection, and cleaning the bridge
 - b. Widening
 - c. Upgrades, including rail/guardrail repair and/or replacement
 - d. Repair
 - e. Replacement
 - f. Bridge undertakings in these categories only apply to the following types of bridges:
 - i. Bridges less than 45 years old at the time of construction letting;
 - ii. Bridges on the interstate system not previously listed in the NRHP or exempted from Section 106 as part of the Interstate Highway System (cannot be one of the six on this list: https://www.environment.fhwa.dot.gov/histpres/highways_list.asp);
 - iii. Concrete or steel bridges constructed after 1945 and part of the Program Comment for Common Post-1945 Concrete or Steel bridges (cannot be one of the bridges in Groups I, II, or III as defined in Appendix 7);
 - iv. Concrete bridge-class culverts; and
 - v. Timber stringer bridges.

1311

1312

APPENDIX 5

1313

REPORTING AND DOCUMENTATION STANDARDS FOR TxDOT REVIEW

1314

1315 The following standards govern TxDOT's conduct of investigations and reporting for the
 1316 identification and evaluation of historic properties. Different standards apply to the
 1317 documentation and reporting of archeological historic properties and non-archeological historic
 1318 properties. The next two sections present these standards.

1319 Archeological Historic Properties

1320

1. Background Studies for Archeological Resources and Cemeteries.

1321

a. For projects subject to review for archeological resources and cemeteries under
 1322 this PA, based on the results of background research, TxDOT will identify
 1323 projects or portions of projects' APEs that require archeological field
 1324 investigation.

1325

b. Eligibility determinations that TxDOT performs under this PA will not require
 1326 field investigations if sufficient background information exists to demonstrate that
 1327 the portion of the site to be affected does not have potential research value.

1328

c. Determinations that TxDOT makes under this PA regarding the presence of
 1329 archeological historic properties and cemeteries in project APEs may be made
 1330 through the use of maps, project-area photographs, or other background research.

1331

For screened undertakings listed in Appendix 4, background research shall be limited to review
 1332 of the Texas Archeological Sites Atlas. TxDOT will document that the APE is confined to
 1333 existing ROW and that no known archeological historic properties or cemeteries occur within the
 1334 APE

1335

2. Surveys for Archeological Resources and Cemeteries.

1336

a. Surveys may be limited to an evaluation of existing impacts or stratigraphic
 1337 integrity when these activities are sufficient to determine that any sites present are
 1338 unlikely to be eligible.

1339

b. Eligibility determinations that TxDOT performs under this PA do not require
 1340 subsurface investigation if it can be demonstrated that the portion of the site to be
 1341 affected is not likely to have sufficient integrity to be eligible.

1342

c. For portions of the APE where deposits may retain sufficient integrity for sites to
 1343 be eligible, TxDOT survey methods will conform with the Texas Historical
 1344 Commission's Archeological Survey Standards or with other appropriate methods,
 1345 except as provided in subsection (i) of this section:

1346

i. TxDOT reserves the right to depart from published survey standards in
 1347 cases where it deems appropriate.

1347

ii. SHPO reserves the right to review non-standard procedures for their
 1349 adequacy.

1349

d. Survey methods will be considered adequate for the identification of burials and
 1350 cemetery boundaries when the portions of the APE within 25 feet of a known
 1351 cemetery have been investigated and the survey included scraping to a depth
 1352 adequate to determine whether grave shafts or burials occur in the APE.
 1353

1350

1351

1352

1353

- 1354 e. A survey to identify burials does not comprise an activity with the potential to
- 1355 cause an adverse effect to a historic property.
- 1356 3. Archeological Eligibility Testing Phase.
- 1357 a. The following methods will be employed for test excavations:
- 1358 i. Mechanical trenches will be excavated and profiles documented in order
- 1359 to characterize the area's potential for archeological deposits with
- 1360 sufficient integrity to be eligible to occur at the site.
- 1361 ii. The extent of the site within the APE will be sampled through some
- 1362 combination of shovel-testing, column sampling, auguring, surface
- 1363 collection, and geophysical prospection in order to characterize the
- 1364 distribution of archeological materials across the site.
- 1365 iii. Additional units will be excavated and screened to evaluate site areas that
- 1366 appear to have the best potential for yielding important data with good
- 1367 integrity, based on the results of previous work.
- 1368 iv. The materials analyzed will comprise those materials most likely to
- 1369 contribute important information about prehistory or history.
- 1370 b. TxDOT reserves the right to depart from these methods in cases where it deems
- 1371 appropriate and shall justify deviations in the report.
- 1372 4. Documentation for Archeological Resources and Cemeteries.
- 1373 a. Projects subject to review for archeological resources and cemeteries under this
- 1374 PA will be documented by TxDOT in the manner described in this section.
- 1375 Documentation for each such project will include, at a minimum:
- 1376 i. a description of the project, defining the APE or the investigated portion
- 1377 of the APE in three dimensions;
- 1378 ii. a project location map, plotting the project location on 7.5' Series USGS
- 1379 quadrangle maps;
- 1380 iii. information regarding the setting that is relevant for the assessment of the
- 1381 integrity of any archeological sites within the APE;
- 1382 iv. information on previously recorded archeological sites in the project
- 1383 location;
- 1384 v. description and justification of the level of effort undertaken for the
- 1385 investigation; and
- 1386 vi. results and recommendations.
- 1387 b. All TxDOT survey and testing reports will also include:
- 1388 i. description and justification of field methods, including the sampling
- 1389 strategy;
- 1390 ii. description and quantification of any archeological materials identified;
- 1391 iii. accurate plotting of any sites found on 7.5' Series USGS quadrangle maps;
- 1392 iv. submission of electronic TexSite archeological site survey forms to the
- 1393 Texas Archeological Research laboratory; and
- 1394 v. recommendations regarding whether any site(s) merit further
- 1395 investigation.

1396

1397 **Non-Archeological Historic Properties**

- 1398 1. For review-exempt projects under Appendices 3 and 4, documentation shall be limited to
1399 that maintained in TxDOT’s official project files. THC may audit TxDOT files for
1400 specific projects upon request. TxDOT will provide assistance or guidance in accessing
1401 TxDOT files as appropriate.
- 1402
- 1403 2. For internally reviewed projects, documentation for each such project will include, at a
1404 minimum:
- 1405
- 1406 a. project description and scope;
 - 1407 b. project location map with delineation of the APE and location of historic
1408 properties;
 - 1409 c. methodology used to identify historic properties;
 - 1410 d. photographic and descriptive information for each identified property;
 - 1411 e. description of public involvement activities;
 - 1412 f. justification for findings of historic properties, including setting, integrity, and
1413 contextual information; and
 - 1414 g. justification of effects on historic properties, including evaluations, reports, and
1415 other information relevant to the findings by TxDOT.
- 1416
- 1417 3. For individually coordinated projects, documentation submitted to THC will include
1418 items a–g of this subsection, and a description of efforts to avoid or minimize harm,
1419 proposed mitigation, and commitments.

1420

1421

APPENDIX 6

1422

**PROCESSES FOR REVIEW AND CONSULTATION REGARDING PROJECTS
WITH POTENTIAL TO CAUSE EFFECTS TO HISTORIC PROPERTIES**

1423

1424 Per Stipulation XII of this agreement, the following procedures specify the process to be
1425 followed by TxDOT for all undertakings not otherwise found to have no or minimal potential to
1426 cause effects on archeological and/or non-archeological historic properties or for non-project-
1427 based programs or programmatic decisions.

1428

1. Consulting Parties

1429

1430

1431

1432

1433

1434

1435

1436

1437

1438

1439

1440

1441

1442

1443

1444

1445

1446

1447

1448

1449

1450

1451

1452

1453

1454

1455

1456

1457

1458

1459

1460

1461

1462

1463

1464

- a. Unless otherwise directed per the terms of Tribe-specific programmatic agreements for consultation under Section 106, TxDOT will contact federally recognized tribal consulting parties to seek their assistance in the identification of any property or properties within the APE that may be of religious and cultural significance and to consult with them about proposed findings.
- b. TxDOT may also identify and invite other consulting parties with a demonstrable interest in the project's effects on historic properties to participate in consultation. Potential consulting parties include but are not limited to County Historical Commissions, Certified Local Governments, Preservation Texas, and Historic Bridge Foundation.
- c. TxDOT may scale its consultative efforts proportionate to the potential effects of the undertaking on historic properties. When determining the level of effort, TxDOT shall consider factors including but not limited to the amount of proposed new right of way and the number of historic properties known to exist within the APE.
- d. TxDOT will undertake the following methods to identify and engage potential consulting parties, when appropriate, consistent with paragraphs (a) to (c):
 - i. Publications, presentations, participation in events, social media posts, and/or webinars that provide information on TxDOT's archeology and history programs and historic preservation;
 - ii. Training to understand the Section 106 process, TxDOT's historic preservation process, consulting party role in the Section 106 process, or other topics of interest; and
 - iii. Maintaining contact information for potential consulting parties gathered under this Appendix.
- e. TxDOT may invite separate sets of consulting parties regarding potential project effects to archeological and potential effects to non-archeological historic properties.
- f. TxDOT will request a written confirmation from the consulting party that governs participation in the Section 106 process. This written confirmation may include a consulting parties understanding of the following requests:
 - i. Review and provide comments within a 30-day period, unless otherwise requested
 - ii. Provide comments, either written or verbal, on TxDOT documents, reports, plans, and mitigation proposals
 - iii. Participate in project and stakeholder meetings

- 1465 iv. Participate until the project is determined to have no effects on historic
1466 properties, no adverse effects on historic properties, or adverse effects to
1467 historic properties have been resolved.
- 1468 g. TxDOT may separately conduct and conclude consultation regarding potential
1469 effects to archeological properties and potential effects to non-archeological
1470 historic properties.
- 1471 h. If identification efforts resulted in a determination that no historic properties occur
1472 within the APE, TxDOT does not need to conduct individual, project-specific
1473 consultation with SHPO or other consulting parties. Such undertakings will be
1474 determined to have no effect on historic properties as a result of this finding.
- 1475 2. **Public Involvement**—TxDOT does not limit participation in the Section 106 process to
1476 formal consulting parties and commits to involve the public in the process as well. The
1477 public may include those individuals, organizations, or groups that TxDOT provides
1478 copies of appropriate reports, documents, and correspondence.
- 1479 a. The public may choose to participate in only a portion of the TxDOT Section 106
1480 process, such as historic property identification or resolution of adverse effects,
1481 and not the entire process.
- 1482 b. TxDOT will provide interested members of the public the opportunity to
1483 formalize status as a consulting party at any time during the Section 106 process.
- 1484 c. TxDOT will consider any public input when making decisions under Section 106.
- 1485 d. TxDOT will undertake the following methods to identify and engage the public,
1486 when appropriate:
- 1487 i. Publications, presentations, participation in events, social media posts,
1488 and/or webinars that provide information on TxDOT’s archeology and
1489 history programs and historic preservation;
- 1490 ii. Training to understand the Section 106 process, TxDOT’s historic
1491 preservation process, consulting party role in the Section 106 process, or
1492 other topics of interest; and
- 1493 iii. Maintaining contact information for members of the public that may be
1494 interested in future TxDOT Section 106 consultation gathered under this
1495 Appendix.
- 1496 3. **Early Consultation**—When feasible, TxDOT will undertake early consultation to
1497 determine that project’s potential to cause effects on historic properties.
- 1498 a. This consultation may be initiated prior to the development and/or availability of
1499 detailed plans about the undertaking and prior to the identification of historic
1500 properties in an appropriate APE. Documentation provided as part of early
1501 consultation will describe the general type of undertaking (highway improvement
1502 or bridge replacement, for example) and define the APE.
- 1503 b. TxDOT will disclose the APE and the level of investigative effort per the
1504 procedures in Appendix 2. Consultation may include multiple steps under 36 CFR
1505 800.3 through 800.6.
- 1506 c. If TxDOT review determines that no historic properties are likely to be affected by
1507 the undertaking and no consulting party provides substantive comment on the
1508 undertaking, TxDOT will conclude its review and consultation.
- 1509 d. If TxDOT review determines that historic properties may be affected by the
1510 undertaking, or a consulting party provides substantive comment on the

- 1511 undertaking, TxDOT will continue consultation, per Stipulation 5 in this
1512 Appendix.
- 1513 e. TxDOT will resume its review and consultation for any design change that alters
1514 the APE beyond the boundaries previously considered, except for those minor
1515 design changes permitted under Appendices 3 and 4.
- 1516 4. **Standard Consultation**—In cases where early consultation is not undertaken, TxDOT
1517 will adhere to the following procedures for determining an undertaking’s potential effects
1518 on historic properties
- 1519 a. TxDOT will determine the appropriate level of effort for review.
1520 b. TxDOT will follow the standards in Appendix 5.
1521 c. TxDOT will present the results of its review and propose findings in consultation
1522 with consulting parties. This consultation may include multiple steps under 36
1523 CFR 800.3 through 800.6.
- 1524 d. If TxDOT review determines that no historic properties will be affected and
1525 TxDOT receives no substantive comments from consulting parties, TxDOT will
1526 conclude its review and consultation.
- 1527 e. If TxDOT review determines that historic properties may be affected by the
1528 undertaking or a consulting party provides substantive comment on the
1529 undertaking, TxDOT will continue consultation, per Stipulation 5 in this
1530 Appendix.
- 1531 f. TxDOT will resume its review and consultation for any design change that alters
1532 the APE beyond the boundaries previously considered, except for those minor
1533 design changes permitted under Appendices 3 and 4.
- 1534 5. **Continuing Consultation**—TxDOT will continue consultation with consulting parties
1535 when a project may affect historic properties or TxDOT receives substantive comments
1536 from a consulting party on a project’s potential effects.
- 1537 a. TxDOT may identify and invite additional consulting parties with a demonstrable
1538 interest in the project’s effects on historic properties to participate in consultation.
1539 b. TxDOT will provide all consulting parties with the documentation following the
1540 reporting and documentation standards of Appendix 5.
- 1541 i. TxDOT will invite consulting parties to comment on project alternatives
1542 insofar as the alternatives under consideration may have different effects
1543 on historic properties.
1544 ii. TxDOT will invite consulting parties to propose mitigation measures to
1545 resolve any potential adverse effects on historic properties.
1546 iii. TxDOT will make reasonable efforts to accommodate requests for
1547 additional information during the consultation process.
- 1548 c. TxDOT will use its documentation and consulting party comments to propose
1549 explicit findings about project effects and to propose resolutions to adverse
1550 effects, if any adverse effects may occur.
- 1551 d. If TxDOT receives no substantive comments or no further substantive comments
1552 from consulting parties, TxDOT will conclude its review and consultation.
- 1553 e. TxDOT will respond to substantive comments from consulting parties and
1554 document the response.
- 1555 f. If TxDOT staff cannot resolve disputes about proposed findings or plans for the
1556 resolution of adverse effects with any consulting party, the issue will be escalated

- 1557 to the Director of the Environmental Affairs Division.
- 1558 i. The Division Director will work with representatives of the consulting
- 1559 party and continue consultation to attempt to resolve the dispute.
- 1560 ii. If the Division Director cannot resolve the dispute, the dispute will be
- 1561 resolved following the dispute resolution procedures in 36 CFR 800.
- 1562 1) If the SHPO disagrees whether a property is eligible for the National
- 1563 Register of Historic Places for Section 106 purposes or if the
- 1564 Secretary of the Interior (Secretary) or the ACHP request it,
- 1565 TxDOT shall obtain a determination of eligibility from the Keeper
- 1566 pursuant to 36 CFR 63.
- 1567 2) If the SHPO disagrees with a finding of no historic properties
- 1568 affected, SHPO may request ACHP comment pursuant to 36 CFR
- 1569 800.4(d)(1)(ii).
- 1570 3) If the SHPO or another consulting party disagrees with a finding of
- 1571 no historic properties adversely affected, TxDOT will request
- 1572 ACHP comment pursuant to 36 CFR 800.5(c)(2).
- 1573 4) If the SHPO disagrees on how adverse effects should be resolved,
- 1574 TxDOT will request ACHP comment pursuant to 36 CFR
- 1575 800.6(b)(1)(v).
- 1576 5) For any other dispute circumstances, TxDOT will consider
- 1577 consulting party comments and provide a recommendation for
- 1578 approval by the Division Director.
- 1579 6. If the SHPO or the ACHP requests an opportunity to comment on a specified
- 1580 undertaking, or if a consulting party requests SHPO participation in review, TxDOT shall
- 1581 follow the consultation procedures of 36 CFR Part 800 and this PA.
- 1582 7. TxDOT may initiate consultation with the SHPO on an individual basis for undertakings
- 1583 that otherwise do not require SHPO consultation.
- 1584 8. If disclosure of location information could result in disturbance of a historic property, all
- 1585 parties to this PA shall ensure that shared data, including data concerning the precise
- 1586 location and nature of historic properties and properties of religious and cultural
- 1587 significance, are protected from public disclosure to the greatest extent permitted by law,
- 1588 including conformance to Section 304 of the NHPA, as amended, Section 9 of the
- 1589 Archaeological Resource Protection Act (ARPA) of 1979, and Executive Order on
- 1590 Sacred Sites 13007 FR 61-104 dated May 24, 1996.
- 1591 9. **Non-project Consultation**—TxDOT will conduct consultation on certain program or
- 1592 programmatic decisions that TxDOT determines may affect consulting parties.
- 1593 a. The following items are examples of program or programmatic decisions on
- 1594 which TxDOT will consult:
- 1595 a. Programmatic treatment plans for particular property types, and
- 1596 b. Programmatic studies for the evaluation of particular property types.
- 1597 b. The following items are examples of program or programmatic decisions on
- 1598 which TxDOT need not consult;
- 1599 a. Decisions related to the issuance and award of contracts;
- 1600 b. Development and implementation of procedures, guidance, and
- 1601 training; and
- 1602 c. Development and implementation of outreach programs.

APPENDIX 7**CERTAIN HISTORIC BRIDGES IN TXDOT'S HISTORIC BRIDGE MANAGEMENT PLAN**

The bridges listed in this Appendix are subject to the alternatives, reviews, and mitigation outlined in Stipulations XIII–XV.

Group A: On-System Metal Truss Bridges:

NBI	County	Roadway	Crossing	Year Built	Truss Type	Span Configuration
021820025002018	Palo Pinto	US 281	Brazos River	1939	Warren Through Truss	One three-span continuous truss unit
022130025903046	Somervell	US 67 southbound	Brazos River	1947	Continuous Through Truss	Continuous through truss; one-way pair
082090010703012	Shackelford	FM 601	Hubbard Creek	1930	Pratt Through Truss	One truss span
090140001505060	Bell	FM 817	Leon River	1939	Parker Through Truss	One truss span
130450002701001	Colorado	US 90	Colorado River	1932	Parker Through Truss	Three truss spans

130450026608043	Colorado	Business SH 71 F	Colorado River	1949	Parker Through Truss	Three truss spans; one-way pair
130620014308037	De Witt	US 87	Guadalupe River	1938	Parker Through Truss	One truss span
130760026514038	Fayette	Business SH 71 E	Colorado River	1941	Parker Through Truss	Five truss spans; one-way pair
132410008910039	Wharton	Business 59 southbound	Colorado River	1930	Pennsylvania Through Truss; Parker Through Truss; Warren Pony Truss	Two effective truss spans after rehabilitation; one-way pair
141500029001023	Llano	SH 16	Llano River	1936	Parker Through Truss	Four truss spans
150150002502011	Bexar	IH 10 north frontage road	Cibolo Creek	1933	Parker Through Truss	One truss span; one-way frontage road
150460025303019	Comal	US 281 southbound main lane	Guadalupe River	1936	Parker Through Truss	Two truss spans; one-way pair
201240030603015	Jefferson	SH 73/SH 87 westbound	Neches River (Rainbow Bridge)	1939	Cantilever Truss	One-way pair

222330002206068	Val Verde	US 90	Pecos River (High Bridge)	1957	Continuous Deck Truss	One truss span
250440023001006	Collingsworth	SH 203	Salt Fork of Red River	1939	Parker Through Truss	Four truss spans, one- way pair
112280010908023	Trinity	SH 19 southbound bypass	Trinity River	1941	Parker Through Truss	One truss span; one-way pair
071340014216031	Kimble	LP (Loop) 481	South Llano River (Junction Bridge)	1937	Continuous Through Truss	Three ~ three span continuous truss units; one truss
071340014201035	Kimble	IH 10 N frontage road	Johnson Fork Creek	1938	Parker Through Truss	Two truss spans; one- way frontage road
231410027205023	Lampasas	US 190	Colorado River	1940	Continuous Through Truss	One continuous truss unit
142270070003004	Travis	SH 71 westbound	Pedernales River	1949	Continuous Deck Truss	Four truss spans; one- way pair
231670028903040	Mills	SH 16	Colorado River	1939	Parker Through Truss	Two truss spans
141570007104018	Mason	US 87 southbound	Llano River	1931	Warren Through Truss	Two truss spans

201240236701001	Jefferson	SH 82	Intracoastal Canal (MLK, formerly Gulfgate Bridge)	1970	Continuous Through Truss	One truss span
-----------------	-----------	-------	--	------	--------------------------------	----------------

Group B: On-System Metal Truss Bridges:

NBI	County	Roadway	Crossing	Year Built	Truss Type	Span Configuration
032430221502002	Wichita	FM 2326 scenic bypass	Beaver Creek	1925	Warren Pony Truss	Three truss spans; bypassed bridge
091100051902005	Hill	SH 174*	Brazos River	1950	Continuous Deck Truss	One ~ three span continuous truss unit
021840031401006	Parker	IH 20 north frontage road	Brazos River	1934	Parker Through Truss	Three truss spans
150070007313014	Atascosa	US 281A	Atascosa River	1925	Warren Pony Truss	One truss span
152320002305038	Uvalde	US 90 eastbound main lanes	Nueces River	1933	Parker Through Truss	Four truss spans; one- way pair
070530014008051	Crockett	SH 290	Pecos River	1933	Parker Through Truss	One truss span

201220021308074	Jasper	US 190	Neches River (Steinhagen)	1943	Parker Through Truss	Two truss spans
201760021404005	Newton	SH 63*	Sabine River (Burr's Ferry)	1937	Parker Through Truss	Three truss spans

*Note: these bridges are currently undergoing individual Section 106 consultation and alternatives analysis to determine their ultimate disposition. Alternatives analysis may result in adding these bridges to Group A, based on engineering and consultation for these bridges.

Group I: Historic Bridges Constructed between 1945 and 1965

Bridge Number	Name	Location	Bridge Type	Year Built
150150B21985011	W Martin St over Alazan Creek	Bexar County	Continuous prestressed concrete slab-full depth	1964
090180042201025	FM 927 over Bosque River	Bosque County	Prestressed concrete girder-multiple/cantilevered	1962
170210223601001	FM 2038 over Bowman Creek	Brazos County	Prestressed concrete girder	1957

130290017910061	SH 35 over Lavaca Bay	Calhoun County	Continuous plate girder	1961
210310063002003	FM 106 Lift over Arroyo Colorado	Cameron County	Vertical lift	1953
180570K01740001	Joe Wilson Rd over Bentle Branch	Dallas County	Box girder-multiple	1950
120850B00790001	Seawolf Pkwy over Pelican Island	Galveston County	Bascule	1960
010920AA0109002	Craft Rd over Draw	Grayson County	Half-through Camelback truss	1950

090980018303051	SH 36 over Pecan Creek	Hamilton County	Continuous I-beam	1948
121020B44185016	Ped Crossing over Memorial Dr	Harris County	Prestressed concrete box girder- single, spread	1955
121020002710063	US 90A southbound over Buffalo Bayou & St	Harris County	Continuous plate girder	1956
121020002710062	US 90A northbound over Buffalo Bayou & St	Harris County	Continuous plate girder	1956
121020B44185009	Waugh Dr over Memorial Dr	Harris County	Post-tensioned concrete slab	1955
211090G00090001	SB US 281 over Rio Grande	Hidalgo County	Other prestressed concrete	1965

221590B00290001	Garrison St over Rio Grande	Maverick	Continuous I-beam	1954
231600007101065	US 87 northbound over Brady Creek	McCulloch County	Variable depth continuous concrete slab	1960

231600007101072	US 87 southbound over Brady Creek	McCulloch County	Variable depth continuous concrete slab	1960
201810AA2690006	E Round over Cow Bayou	Orange County	Horizontal swing	1960
241890AA0107001	Pinto Canyon Rd over Arroyo Escondido	Presidio County	steel multi-plate arch bridge	1960
142270B01381001	Speedway over West Waller Creek	Travis County	Reinforced concrete closed-spandrel arch	1946
142270B00099013	E 38th St over Waller Creek	Travis County	Variable depth concrete tee beam	1951

222330002209070	US 90 over Devils River/Amistad Reservoir	Val Verde County	Plate girder-cantilever with suspended span, multiple	1965
222400B00250001	Convent Ave over Rio Grande	Webb County	Prestressed concrete girder-multiple/cantilever	1956

Group II: Historic Bridges Constructed between 1945 and 1965

Bridge Number	Name	Location	Bridge Type	Year Built
160130073805012	FM 2441 over Medio Creek	Bee County	I-beam cantilevered with suspended span	1946
150150B07510004	W Commerce St over railroads, Medina, Comal, Etc.	Bexar County	Prestressed concrete girder-multiple/I-beam	1959
120200AA0862004	CR 210 over Austin Bayou	Brazoria County	Tee beam	1959
1805709H7350001	Santa Fe Ave over Ervay St	Dallas County	Variable depth rigid frame concrete slab	1950
010920C02620001	W Pecan St over Post Oak Creek	Grayson County	Continuous I-beam	1949

090980012001012	SH 22 over Leon River	Hamilton County	Steel I-beam	1948
141060028503003	RM 12 over Blanco River	Hays County	Prestressed concrete girder-multiple/I-beam	1959
181300009504108	CR 217 over US 80 main lane	Kaufman County	Rigid frame	1958
181300009504109	FR Crossover over US 80 main lane	Kaufman County	Rigid frame	1958
231410103201016	FM 580 over Lampasas River	Lampasas County	I-beam cantilevered with suspended span	1965
131430044601007	US 90A over Navidad River	Lavaca County	Steel I-beam	1949
191550056903017	SH 43 over Big Cypress Bayou	Marion County	Plate girder	1965
091610004901141	Spur 484 southbound over US 77 BUS northbound	McLennan County	Continuous plate girder	1958
091610004901124	US 77 BUS northbound over SP 484 southbound CONN	McLennan County	Continuous I-beam	1958
091610005515001	US 77 (BUS) southbound over US 84 frontage road (Section 4(f) replacement process completed May 2023)	McLennan County	Continuous I-beam	1955

091610005515380	US 84 over US 77 BUS (Section 4(f) replacement process completed May 2023)	McLennan County	Continuous I-beam	1955
091610005515006	US 77 (BUS) northbound over US 84 frontage road (Section 4(f) replacement process completed May 2023)	McLennan County	Continuous I-beam	1955
021820000710057	US 180 over Brazos River	Palo Pinto County	Multiple plate girder	1948
232150103101022	FM 578 over Hubbard Creek	Stephens County	Continuous I-beam	1949

Group III: Historic Bridges Constructed between 1945 and 1965

Bridge Number	Name	Location	Bridge Type	Year Built
150150B24750003	Nogalitos St main lane over San Pedro Creek	Bexar County	Prestressed concrete girder multiple/I-beam	1959
090180051903001	SH 174 over Steele Creek	Bosque County	I-beam cantilevered with suspended span	1948
070410040701057	SH 70 northbound over US 277 southbound	Coke County	Prestressed concrete girder-multiple/I- beam	1959
180570K01415002	Cedar Hill Rd over Ten Mile Creek	Dallas County	Box girder-multiple	1950

1805709I5100009	Inwood Rd over Freeman Branch	Dallas County	Variable depth rigid frame concrete slab	1953
180570058101038	Loop 12 over Lawther Drive	Dallas County	Prestressed concrete girder-multiple/I-beam	1959
180570009201048	S.H. 310 over T&NO Railroad	Dallas County	Continuous I-beam	1953
130620234601001	FM 884 over Smith Creek	DeWitt County	Prestressed concrete girder-multiple/I-beam	1958
160890288501001	FM 2441 over Sarco Creek	Goliad County	Prestressed concrete box girder-multiple	1955
250970031102006	SH 70 over Mulberry Creek	Hall County	Continuous I-beam	1949
090980025101054	US 281 over Leon River	Hamilton County	Prestressed concrete girder-multiple/I-beam	1958

090980012001011	SH 22 over Pecan Creek	Hamilton County	I-beam cantilevered with suspended span	1948
121020B53960647	Reseda Rd over HCFCD Ditch	Harris County	Box girder-multiple	1965
121020B57009003	San Felipe Rd over Bering Ditch	Harris County	Prestressed concrete box girder-multiple	1962
091100001405083	US 81 over Island Creek	Hill County	Continuous I-beam	1948
021200039107056	FM 4 over Keechi Creek	Jack County	Prestressed concrete girder-multiple/I-beam	1958
021270159904015	FM 916 over Nolan River	Johnson County	Prestressed concrete girder-multiple/I-beam	1959
171450064301027	FM 39 over BNSF Railroad	Leon County	Prestressed concrete girder-multiple/I-beam	1958
071640039605025	US 190 over Dry Creek	Menard County	Prestressed concrete girder-multiple/I-beam	1958
081770026401043	E First St over BUS 70	Nolan County	I-beam	1954
161780226302004	SH 361 over Gulf Intra-Coastal W-Way	Nueces County	Continuous plate girder	1959

021820039108057	FM 4 over Keechi Creek	Palo Pinto County	Prestressed concrete girder-multiple/I-beam	1958
161960044704029	SH 202 over Blanco Creek	Refugio County	I-beam cantilevered with suspended span	1947
171980020409061	US 79 / US 190 over Brazos River	Robertson County	Continuous plate girder	1956
171980026203045	FM 485 over Brazos River	Robertson County	Continuous plate girder	1957
102120042401030	Saunders Ave over SH 31	Smith County	Rigid frame	1960
102120042401031	Fleishel Ave over SH 31	Smith County	Rigid frame	1960
022130077801001	FM 199 over Georges Creek	Somervell County	Prestressed concrete girder-multiple/I-beam	1958
022200009405030	SH183 westbound lanes over Carswell Access Rd	Tarrant County	Variable depth concrete flat slab	1954
022200009405029	SH183 eastbound lanes over Carswell Access Rd	Tarrant County	Variable depth concrete flat slab	1954
022200106803020	White Settlement Rd over Spur 341	Tarrant County	Rigid frame	1953
142270015106031	Loop 111 over MKT Railroad	Travis County	Steel I-beam	1947

142270B00022001	E Seventh St. eastbound over Tillery St and Austin Northwest Railroad	Travis County	Steel I-beam	1948
142270B00022003	E Seventh Street westbound over Tillery St and Austin Northwest Railroad	Travis County	Steel I-beam	1948
172390018606043	Old Mill Creek Rd over US 290	Washington County	Prestressed concrete girder-multiple/I-beam	1958
032520AA0237001	CR 237/ Hot Wells over Clear Fork of Brazos River	Young County	T beam	1954