



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**

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

- 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 Mark Wolfe, Executive Director  
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886

887 **EXECUTION AND IMPLEMENTATION**

888

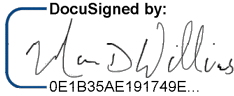
889 **SIGNATORIES** include the Federal Highway Administration, Advisory Council on Historic  
890 Preservation, Texas State Historic Preservation Officer (Texas Historical Commission), and the  
891 Texas Department of Transportation, with separate pages for each agency provided.

892

893 **TEXAS DEPARTMENT OF TRANSPORTATION**

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895

DocuSigned by:  
  
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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**

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907

DocuSigned by:

908 **Kitty Henderson**

Dated: 10/5/2023

909 Kitty Henderson

910 President, Board of Directors

911 Historic Bridge Foundation

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**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 • TxDOT staff review project descriptions and other project information to evaluate  
 1091 whether the project conforms to a type with no potential to cause effects to historic  
 1092 properties, a type listed in Appendix 3 as a project with minimal potential to cause effects  
 1093 to archeological historic properties or to a type listed in Appendix 4 as a type that has low  
 1094 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 • TxDOT staff review project descriptions and other project information to evaluate  
 1113 whether the project conforms to a type listed in Appendix 3 as a type that has minimal  
 1114 potential to cause effects to non-archeological historic properties or to a type listed in  
 1115 Appendix 4 as a type that has low potential to cause effects to non-archeological historic  
 1116 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**

1151  
1152 **UNSCREENED UNDERTAKINGS WITH MINIMAL POTENTIAL TO CAUSE**  
1153 **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](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 4. maintenance, repair, relocation, addition, or minor widening of roadway, highway, or  
1276 freeway features, including turn bays, center turn lanes, shoulders, U-turn bays, right turn  
1277 lanes, travel lanes, interchanges, medians, and ramps; and/or  
1278
- 1279 5. maintenance, repair, replacement, or relocation of features at crossings of irrigation  
1280 canals, including bridges, new vehicle crossings, bank reshaping, pipeline and standpipe  
1281 components, canal conversion to below-grade siphons, and utilities;
- 1282 6. installation of new safety or mast lighting.
- 1283 7. intersection improvements within existing ROW outside of historic districts;
- 1284 8. Electric Vehicle Supply Equipment (EVSE) not included in 2022 ACHP exemption (87  
1285 FR 66201), as outlined in Appendix 3;
- 1286 9. Bridge projects comprised of the following activities, as long as such undertakings are  
1287 not within or adjacent to a historic district listed in or eligible for the NRHP, require less  
1288 than two (2) acres of new ROW or permanent easements for the project, and involve one  
1289 of the types of bridges outline in items a-e below:
  - 1290 a. Routine maintenance, such as asphalt overlays, cleaning deck drains and  
1291 vegetation, sealing concrete, installing rip rap and other scour protection, and  
1292 cleaning the bridge
  - 1293 b. Widening
  - 1294 c. Upgrades, including rail/guardrail repair and/or replacement
  - 1295 d. Repair
  - 1296 e. Replacement
  - 1297 f. Bridge undertakings in these categories only apply to the following types of  
1298 bridges:
    - 1299 i. Bridges less than 45 years old at the time of construction letting;
    - 1300 ii. Bridges on the interstate system not previously listed in the NRHP or  
1301 exempted from Section 106 as part of the Interstate Highway System  
1302 (cannot be one of the six on this list:  
1303 [https://www.environment.fhwa.dot.gov/histpres/highways\\_list.asp](https://www.environment.fhwa.dot.gov/histpres/highways_list.asp));
    - 1304 iii. Concrete or steel bridges constructed after 1945 and part of the Program  
1305 Comment for Common Post-1945 Concrete or Steel bridges (cannot be  
1306 one of the bridges in Groups I, II, or III as defined in Appendix 7);
    - 1307 iv. Concrete bridge-class culverts; and
    - 1308 v. Timber stringer bridges.
- 1309
- 1310

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  
 1348 adequacy.

1348

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

a. Unless otherwise directed per the terms of Tribe-specific programmatic agreements  
1430 for consultation under Section 106, TxDOT will contact federally recognized  
1431 tribal consulting parties to seek their assistance in the identification of any  
1432 property or properties within the APE that may be of religious and cultural  
1433 significance and to consult with them about proposed findings.

1434

b. TxDOT may also identify and invite other consulting parties with a demonstrable  
1435 interest in the project's effects on historic properties to participate in consultation.  
1436 Potential consulting parties include but are not limited to County Historical  
1437 Commissions, Certified Local Governments, Preservation Texas, and Historic  
1438 Bridge Foundation.

1439

c. TxDOT may scale its consultative efforts proportionate to the potential effects of  
1440 the undertaking on historic properties. When determining the level of effort,  
1441 TxDOT shall consider factors including but not limited to the amount of proposed  
1442 new right of way and the number of historic properties known to exist within the  
1443 APE.

1444

d. TxDOT will undertake the following methods to identify and engage potential  
1445 consulting parties, when appropriate, consistent with paragraphs (a) to (c):

1446

i. Publications, presentations, participation in events, social media posts,  
1447 and/or webinars that provide information on TxDOT's archeology and  
1448 history programs and historic preservation;

1449

ii. Training to understand the Section 106 process, TxDOT's historic  
1450 preservation process, consulting party role in the Section 106 process, or  
1451 other topics of interest; and

1452

iii. Maintaining contact information for potential consulting parties gathered  
1453 under this Appendix.

1454

e. TxDOT may invite separate sets of consulting parties regarding potential project  
1455 effects to archeological and potential effects to non-archeological historic  
1456 properties.

1457

f. TxDOT will request a written confirmation from the consulting party that governs  
1458 participation in the Section 106 process. This written confirmation may include a  
1459 consulting parties understanding of the following requests:

1460

i. Review and provide comments within a 30-day period, unless otherwise  
1461 requested

1462

ii. Provide comments, either written or verbal, on TxDOT documents,  
1463 reports, plans, and mitigation proposals

1464

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:**

<b>NBI</b>	<b>County</b>	<b>Roadway</b>	<b>Crossing</b>	<b>Year Built</b>	<b>Truss Type</b>	<b>Span Configuration</b>
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
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**Group B: On-System Metal Truss Bridges:**

<b>NBI</b>	<b>County</b>	<b>Roadway</b>	<b>Crossing</b>	<b>Year Built</b>	<b>Truss Type</b>	<b>Span Configuration</b>
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