

APPENDIX B
CULTURAL RESOURCES CORRESPONDENCE

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APPENDIX B
CULTURAL RESOURCES CORRESPONDENCE

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TEXAS
HISTORICAL
COMMISSION

The State Agency for Historic Preservation

cc: CRM

RICK PERRY, GOVERNOR

JOHN L. NAU, III, CHAIRMAN

F. LAWRENCE OAKS, EXECUTIVE DIRECTOR

July 2, 2002

Mario Sanchez, Ph.D., R.A.
Environmental Affairs Division
Texas Department of Transportation
125 E. 11th.Street
Austin, Texas 78701-2483

TxDOT - ENV
JUL 12 2002
CRM

RECEIVED

JUL 10 2002

TxDOT - ENV

Re: Project review under Section 106 of the National Historic Preservation Act of 1966, Trinity River Parkway Corridor (CSJ # 0918-45-121 and -122), Dallas, Dallas County, Texas. (FHWA)

Dear Dr. Sanchez:

Thank you for providing information regarding the above referenced project. This letter serves as comment on the proposed undertaking from the State Historic Preservation Officer, the Executive Director of the Texas Historical Commission.

The review staff, led by Bob Brinkman, has completed its review of the proposed project. We concur that six properties identified in the Area of Potential Effects (APE) for the alignment alternatives are eligible for listing on the National Register of Historic Places (NRHP). These properties are:

- c.1925 City of Dallas Water Pumping Facility, 2255 Irving (Site 113 in this study), eligible under Criterion C, Architecture, at the local level of significance;
- 1954 shipping/warehouse facility, 1715 Market Center (Site 172), eligible under Criterion C, Architecture, at the local level of significance;
- 1947 shipping/warehouse facility, 1202 Industrial (Site 199), eligible under Criterion C, Architecture, at the local level of significance;
- 1920 Procter and Gamble manufacturing facility / Dallas Public Schools storage facility, 3701 Lamar (Site 287), eligible under Criterion A, Community Development, and Criterion C, Architecture, at the local level of significance;
- 1950 Sportatorium, 1000 Industrial (Site 375), eligible under Criterion A, Community Development, at the local level of significance;
- 1948-50 Oak Cliff Box Company, 1212 Industrial (Sites 387-388), eligible under Criterion C, Architecture, at the local level of significance.

We concur that the other 311 structures built before 1961 represent common building types or have had sufficient loss of architectural and historic integrity, and are therefore not eligible for listing on the NRHP. We also concur that no potential historic districts eligible for listing on the NRHP exist in the APE, due to significant alterations and loss of architectural integrity.

We look forward to further consultation with your office, and hope to maintain a partnership that will foster effective historic preservation. Thank you for your participation in this federal review process. If you have any questions concerning this review or if we can be of further assistance, please contact Bob Brinkman at 512/463-8769.

Sincerely,

for: F. Lawrence Oaks
Executive Director, Texas Historical Commission

cc: Jeff Dunn, Dallas CHC, 1445 Ross Ave., Ste. 4000, Dallas TX 75202-2790
Jim Anderson, Dallas CLG, 1500 Marilla, City Hall Rm 5CN, Dallas TX 75204



Texas Department of Transportation

DEWITT C. GREER STATE HIGHWAY BLDG. • 125 E. 11TH STREET • AUSTIN, TEXAS 78701-2483 • (512) 463-8585

June 5, 2002

SECTION 106: IDENTIFICATION OF HISTORIC PROPERTIES TARGETED FOR DISPLACEMENT

Dallas County
CSJ # 0918-45-121; 0918-45-122

Trinity River Parkway Corridor

Mr. Bob Brinkman
History Division
Texas Historical Commission
P.O. Box 12276
Austin, Texas 78711

Dear Mr. Brinkman:

The proposed project will be undertaken with federal funding and permits. In accordance with the Programmatic Agreement (PA) among TxDOT, FHWA, the Advisory Council on Historic Preservation, and the THC, this letter *continues* Section 106 consultation for the proposed Trinity River Parkway. *We hereby initiate a new phase of coordination to determine the eligibility of properties targeted for displacement within the area of potential effects (APE) in the five project alternatives.*

PROJECT BACKGROUND:

The Trinity River Parkway is intended to solve transportation problems along the Trinity River Corridor in the city of Dallas, Dallas County, Texas. The project will also be integrated with plans for the Trinity River Floodway, a major open space resource in the center of Dallas. High population growth, lack of alternative routes, and use of single occupant vehicles have extended the hours of congestion, increased the number of accidents, and contributed to air pollution in this part of Dallas.

The Trinity Parkway is designed to lessen congestion and to improve mobility in central Dallas and its adjacent areas. Five alternatives have been identified to meet the goal of increased efficiency in the mobility of travelers in central Dallas.

The APE for each of these alternatives was determined in previous correspondence between our agencies. The THC letter from John W. Murphey dated March 16, 2000 (see-attached) approved the proposed APE, provided certain changes were made to the boundaries. Those changes were made in June 20, 2000, and we now include new APE maps for use in your review.

HISTORIC RESOURCE SURVEY:

The specific purpose of this correspondence is to forward for your review the attached "Historic Resource Survey of the Building Displacements for the Trinity River Parkway" (dated February 19, 2001). This survey identifies 317 buildings 50 years of age or older at the time of letting in 2010. These structures would be displaced because they are directly located *within the right-of-way* of the five alternatives. *Please note that none of these displaced buildings are currently determined eligible or listed in the National Register.*

Among the goals of the survey (page 3) the following are included:

1. Categorizing of buildings as high, medium, or low potential for eligibility to the National Register of Historic Places (post-1961 buildings are not categorized).
2. Determining whether any buildings to be displaced are individually eligible to the National Register of Historic Places.
3. Determining whether any buildings to be displaced contribute to a potential historic district eligible to the National Register of Historic Places.

TxDOT staff and the SHPO previously evaluated two properties included in the survey. The results of this coordination was not incorporated into the survey, but are included below:

1. Site ID # 306, Raul's Restaurant (the Longhorn Ballroom), a medium priority building, was determined not eligible in a THC letter dated October 20, 1999 (see-attached).
2. Site ID # 330, Kay Detention Center, a low priority building, was determined not eligible in a THC letter dated August 3, 2001 (see-attached).

In addition, we have the following comments regarding certain findings of the survey:

1. Site ID # 4, the former Howard Johnson Motor Inn (built in 1964) is considered eligible in the survey. TxDOT staff believes that the building is **not eligible**, as it is not the best representative of this hotel chain. The buildings were designed with specific features to function as signs, and this example no longer fulfills this role. Its distinctive orange roof is now blue, and the stylized cupola atop the lobby structure is missing.
2. The survey presents two potentially eligible historic districts:
 - District "A," c. 1951-60 (pages 84-86, 94), along Irving Blvd. between Inwood Road and Wycliff Ave.
 - District "B," c. 1947-60 (pages 87-91, 95), along and adjacent to Irving Blvd. between Wycliff/Sylvan Avenues and the Woodall Rogers Fwy.The districts are based on the continuity of their warehouse-shipping facility type of architecture, and on the fact that the area was originally developed by Trammel Crow, a noted Dallas developer. TxDOT staff has determined that the buildings in these "A" and "B" districts have numerous alterations and that better examples of Trammel Crow developments exist in the Dallas area.

3. Since TxDOT staff differs with some of the eligibility determinations in the survey, we request that you do not consider in your review portions of pages 7-8 regarding the number of properties being displaced in each alternative that may be individually eligible or contributing to an eligible historic district.

DETERMINATIONS OF ELIGIBILITY:

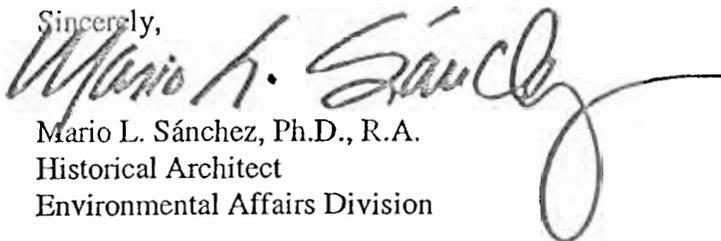
Based on the above information, we determined that the identified potential historic districts "A" and "B" are **not eligible** to the National Register. We also determined that, of the 317 pre-1961 structures identified in the survey, only the following *high priority* structures listed in page 83 are **eligible** to the register:

1. Site ID # 113, City of Dallas/Irving Water Pumping Facility (c. 1925), under Criterion C, Architecture, at the local level.
2. Site ID # 172, 1715 Market Center (1954), shipping/warehouse facility, under Criterion C, Architecture, at the local level.
3. Site ID # 199, 1202 Industrial (1947), shipping/warehouse facility, under Criterion C, Architecture, at the local level.
3. Site ID # 287, 3701 Lamar, Dallas Public Schools storage facility (1920), formerly Procter and Gamble manufacturing facility, under Criterion C, Architecture, and Criterion A, Community Development, both at the local level.
4. Site ID # 375, 1000 Industrial, The Sportatorium (1950), under Criterion A, Community Development, at the local level.
6. Site ID # 387-388, 1212 Industrial, Oak Cliff Box Company (1948, 1950), comprising a 1948 Art Moderne office building with an attached brick warehouse/shipping facility built in 1950, under Criterion C, Architecture, at the local level.

Color photos of all high and medium priority buildings are offered for your review. All building locations are plotted on maps, and all structures are visually recorded in contact sheets at the end of the study. We have placed the site ID number in each frame of the contact sheets.

We request your written concurrence with these determinations of eligibility within 30 days of receiving this letter. If you need further information, please feel free to call me at 416-2770.

Sincerely,



Mario L. Sánchez, Ph.D., R.A.
Historical Architect
Environmental Affairs Division

Attachments

- cc. Dallas District, Dan Perge
Dallas District, Timothy Nesbitt
Half Associates, Rick Thomas
Alston Architects, Neely Plumb
ENV/PM, Elvia Gonzalez
ENV/PM, Mario L. Sánchez



Halff Associates

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8616 NORTHWEST PLAZA DRIVE
DALLAS, TEXAS 75225
(214) 346-6200
FAX (214) 739-0095

February 27, 2001
AVO 17826

TRANSMITTED VIA FEDERAL EXPRESS

Ms. Ann Irwin
Environmental Services
Texas Department of Transportation
125 East 11th Street
Austin, TX 78701-2483

RE: Report of Directly Impacted Structures (50 years old) for the Trinity Parkway Environmental Impact Statement, Dallas, Texas

Dear Ms. Irwin:

Please find enclosed two copies of the Historic Resources Survey report identifying directly impacted \pm 50 year old structures/properties along each alternative alignment of the Trinity Parkway Environmental Impact Statement (EIS).

Mario Sanchez of your office and Greg Smith of the Texas Historic Commission (THC) viewed these properties/structures along with Alston Architects and others on January 17, 2001. The purpose of the field trip was to familiarize TxDOT and THC with the structures and to categorize the structures into categories of low, medium, and high potential for eligibility determinations.

We are hopeful that the eligibility determinations can be expedited so the 4(f) evaluations can be incorporated into the draft EIS.

Please forward one copy of the report to Greg Smith of THC. If you have any questions or need additional information please do not hesitate to call David Morgan or me at (214) 346-6200 or Jess Neely of Alston Architects at (214) 826-5466.

Sincerely,

Halff Associates, Inc.

Rick Thomas

RNT/sps
Enclosure (1)

C: Mario Sanchez, TxDOT (letter with report)
Greg Smith, THC (PO Box 12276, Austin, TX 78711-2276) (letter only)
Chris Anderson, North Texas Tollway Authority (letter only)
Mr. Jess Neely, Alston Architects (letter only)

^A
Plumb

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The State Agency for Historic Preservation

CC 109193-1000
cc CRM
GEORGE W. RUSH, GOVERNOR
JOHN L. NAU, III, CHAIRMAN
F. LAWRENCE OAKS, EXECUTIVE DIRECTOR

RECEIVED
JAN 18 2001
TXDOT - ENV

January 17, 2001

Nancy A. Kenmotsu, Ph.D., Supervisor
Archeology Studies Program - Environmental Affairs Division
Texas Department of Transportation - Dewitt C. Greer State Highway Bldg.
125 E. 11th Street
Austin, Texas 78701-2483

Re: Project review under the Antiquities Code of Texas
Draft report, Trinity River Parkway Study, Dallas County, Texas
(TxDOT TAC# n/a)

Dear Dr. Kenmotsu:

Thank you for your correspondence describing the above referenced project. This letter serves as comment on the draft archival and archeological investigation from the State Historic Preservation Officer, the Executive Director of the Texas Historical Commission.

The review staff led by Myles Miller has examined the above referenced draft report. We cannot complete our review because several sections of the draft report are missing and labeled as "In Preparation". In addition, for a project of the magnitude of the proposed Trinity River Parkway, we find that this preliminary draft overview lacks much or most of the detailed information and accompanying maps that would be necessary for a comprehensive overview and assessment of cultural resources. We have provided some general comments and required revisions in the attachment to this letter, and strongly recommend that the archeological consultant thoroughly revise and expand the report.

We look forward to further consultation with your office and hope to maintain a partnership that will foster effective historic preservation. Thank you for your cooperation in this federal review process, and for your efforts to preserve the irreplaceable heritage of Texas. If you have any questions concerning our review or if we can be of further assistance, please contact Myles Miller at 512/463-5864.

Sincerely,

for
F. Lawrence Oaks, Executive Director

enclosure

LO/wjm/mm

NEBITT

Attachment

Comments and Required Revisions

1. Several typographic errors are present in the report and need to be corrected.
2. On Page 1 it is stated that a Texas Antiquities Permit was secured from the THC for this project. However, the permit number is not included on the report title page or mentioned in the body of the report. Is an Antiquities Permit required for such an overview?
3. Several maps, figures, and discussions are either missing or labeled as "In Preparation".
4. Figure 9 - we cannot differentiate between Zones 3 and 4 on the black-and-white copy of this figure provided to our office. We also note that these probability zones are based on a [unreferenced] 1978 report. Wouldn't it be possible to refine and update these zones based on more recent archeological findings over the past twenty years?
5. The draft report lacks any semblance of maps or figures that would illustrate the relationship(s) between the proposed highway corridor alternatives, topographic landforms, Holocene depositional units and other geomorphic data, the presence of highly disturbed urban environments, cultural resource probability areas, and so forth.
6. The recommendations section needs to be thoroughly expanded, and must take into account the topics listed in comment #5 above. Figures and maps showing the proposed alignments need to be included.



TEXAS
HISTORICAL
COMMISSION

The State Agency for Historic Preservation

GEORGE W. BUSH, GOVERNOR

JOHN L. NAU, III, CHAIRMAN

F. LAWRENCE OAKS, EXECUTIVE DIRECTOR

April 20, 2000

S. Alan Skinner, Ph.D.
AR Consultants
P.O. Box 820727
Dallas, TX 75382-0727

Re: Project review under the Antiquities Code of Texas
Trinity Parkway, Dallas County, TX
Permit #2302

Dear Colleague:

Thank you for your Antiquities Permit Application for the above referenced project. This letter presents the final copy of the permit application from the Executive Director of the Texas Historical Commission, the state agency responsible for administering the Antiquities Code of Texas.

Please keep this copy for your records. Additionally, please note that the Antiquities Permit investigations require production of 20 copies of the final report and verification that any artifacts recovered and records produced during the investigations are curated at the repository listed in the permit.

If you have any questions concerning this permit or if we can be of further assistance, please contact Lillie Thompson at 512/463-1858. The reviewer for this project is Bill Martin.

Sincerely,

A handwritten signature in cursive script, appearing to read "William A. Martin".

for
F. Lawrence Oaks, State Historic Preservation Officer

FLO/lft

Enclosure

cc: John R. Hoffman, North Texas Turnpike Authority c/o Half Assoc.

State of Texas
TEXAS ANTIQUITIES COMMITTEE
ARCHEOLOGY PERMIT # 2302

This permit is issued by the Texas Historical Commission, hereafter referred to as the Commission, represented herein by and through its duly authorized and empowered representatives. The Commission, under authority of the Texas Natural Resources Code, Title 9, Chapter 191, and subject to the conditions hereinafter set forth, grants this permit for:

Reconnaissance

To be performed on a potential or designated landmark or other public land known as:

Title: Trinity Parkway
County: Dallas
Location: Trinity River channel, levee, and vicinity

Owned or Controlled by: (hereafter known as the Permittee):

North Texas Turnpike Authority c/o Halff Associates
8616 Northwest Plaza Dr.
Dallas, TX 75225

Sponsored by (hereafter known as the Sponsor):

North Texas Turnpike Authority c/o Halff Associates
8616 Northwest Plaza Dr.
Dallas, TX 75225

The Principal Investigator/Investigation Firm representing the Owner or Sponsor is:

Alan Skinner
AR Consultants, P.O. Box 820727
Dallas, TX 75382

This permit is to be in effect for a period of:

1 year

and Will Expire on:

4/11/01

During the preservation, analysis, and preparation of a final report or until further notice by the Commission, artifacts, field notes, and other data gathered during the investigation will be kept temporarily at:

AR Consultants

Upon completion of the final permit report, the same artifacts, field notes, and other data will be placed in a permanent curatorial repository at:

Southern Methodist University

Scope of Work under this permit shall consist of:

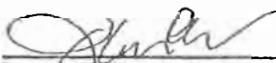
For details, see scope-of-work submitted with the permit application.

ARCHEOLOGY PERMIT # 2302

This permit is granted on the following terms and conditions:

- 1) This project must be carried out in such a manner that the maximum amount of historic, scientific, archeological, and educational information will be recovered and preserved and must include the scientific techniques for recovery, recording, preservation and analysis commonly used in archeological investigations.
- 2) The Principal Investigator/Investigation Firm, serving for the Owner/Permittee and/or the Project Sponsor, is responsible for insuring that specimens, samples, artifacts, materials and records that are collected as a result of this permit are appropriately cleaned, and cataloged for curation. These tasks will be accomplished at no charge to the Commission, and all specimens, artifacts, materials, samples, and original field notes, maps, drawings, and photographs resulting from the investigations remain the property of the State of Texas, or its political subdivision, and must be curated at an appropriate repository. Verification of curation by the repository is also required, and duplicate copies of any requested records shall be furnished to the Commission before any permit will be considered complete.
- 3) The Principal Investigator/Investigation Firm serving for the Owner/Permittee, and/or the Project Sponsor is responsible for the publication of results of the investigations in a thorough technical report containing relevant descriptions, maps, documents, drawings, and photographs. A draft copy of the report must be submitted to the Commission for review and approval. Any changes to the draft report requested by the Commission must be made or addressed in the report, or under separate written response to the Commission. Once a draft has been approved by Commission, twenty (20) copies of the final report shall be furnished to the Commission.
- 4) If the Owner/Permittee, Project Sponsor, or Principal Investigator/Investigation Firm fails to comply with any of the Commission's Rules of Practice and Procedure or with any of the specific terms of this permit, or fails to properly conduct or complete this project within the allotted time, the permit will fall into default status and/or the Commission may cancel the permit until such time that the terms of the permit are properly completed. Notification of Cancellation shall be sent to the Owner/Permittee and the Principal Investigator/Investigation Firm, and all work associated with the permit must then stop immediately upon receipt of the notice. Notification of Default status shall be sent to the Principal Investigator/Investigation Firm, and the Principal Investigator will not be eligible to be issued any new permits until such time that the conditions of this permit are complete.
- 5) The Owner/Permittee, Project Sponsor, and Principal Investigator/Investigation Firm, in the conduct of the activities hereby authorized, must comply with all laws, ordinances and regulations of the State of Texas and of its political subdivisions including, but not limited to, the Antiquities Code of Texas; they must conduct the investigation in such a manner as to afford protection to the rights of any and all lessees or easement holders or other persons having an interest in the property; and they must return the property to its original condition insofar as possible, to leave it in a state which will not create hazard to life nor contribute to the deterioration of the site or adjacent lands by natural forces.
- 6) Any duly authorized and empowered representative of the Commission may, at any time, visit the site to inspect the field work as well as the field records, materials, and specimens being recovered.
- 7) For reasons of site security associated with nautical historical resources, the Project Sponsor (if not the Owner/Permittee), Principal Investigator, and Investigation Firm shall not issue any press releases, or divulge to the news media, either directly or indirectly, information regarding the specific location of, or other information that might endanger those resources, or their associated artifacts without first consulting with the Commission, and the State agency or political subdivision of the State that owns or controls the land where the resource has been discovered.
- 8) This permit may not be assigned by the Principal Investigator/Investigation Firm, Owner/Permittee, or Project Sponsor in whole, or in part to any other individual, organization, institution, or corporation not specifically mentioned in this permit, without the written consent of the Commission.
- 9) Hold Harmless: The Owner/Permittee hereby expressly releases the State and agrees that Owner/Permittee will hold harmless, indemnify, and defend (including reasonable attorney's fees and costs of litigation) the State, its officers, agents, and employees in their official and/or individual capacities from every liability, loss, or claim for damages to persons or property, direct or indirect of whatsoever nature arising out of, or in any way connected with, any of the activities covered under this permit.
- 10) Addendum: The Owner/Permittee, Project Sponsor and Principal Investigator/Investigation Firm must abide by any addenda hereto attached.

Upon a finding that it is in the best interest of the State, this permit is issued on 4/11/00.


James H. Bruseth, for the
Texas Historical Commission



TEXAS
HISTORICAL
COMMISSION

The State Agency for Historic Preservation

cc: *CBM*

GEORGE W. BUSH, GOVERNOR

JOHN L. NAU, III, CHAIRMAN

F. LAWRENCE OAKS, EXECUTIVE DIRECTOR

March 16, 2000

Mario L. Sanchez
Environmental Affairs Division
Texas Department of Transportation
118 E. Riverside Drive
Austin, TX 78704

MAR 21 2000

Re: Project review under Section 106 of the National Historic Preservation Act of 1966,
Proposed APE for Trinity River Parkway, Dallas, Dallas County, Texas (FHWA/TxDOT)

Dear Mr. Sanchez:

Thank you for your March 10, 2000, correspondence describing the above referenced project. Pursuant to Section 800.16 (d) of the National Historic Preservation Act, the Agency Official is required to consult with the SHPO to determine and document the area of potential effect (APE) for an undertaking. This letter serves as comment on the proposed APE from the State Historic Preservation Officer, the Executive Director of the Texas Historical Commission.

The National Register staff, led by John W. Murphey, has reviewed the proposed APEs for the four alternative parkway alignments. We agree in general with the proposed APEs, but require each alternative to include the entire boundary of the Colonial Hill Historic District. Staff also questioned whether the APE for alignment number two, along Singleton Boulevard, extends far enough to the southwest to capture potentially historic structures that may be directly or indirectly affected by increased traffic from the interchange. A streetscape perspective of Singleton Boulevard would be useful to this analysis.

To complete our review, we request that you resubmit a proposed APE document reflecting the comments outlined above. Thank you for your submission and initiation of Section 106 consultation. We look forward to further consultation in developing an APE for the Trinity River Parkway. If you have any questions concerning our review, please contact John W. Murphey at 512/463-5942.

Sincerely,

John W. Murphey, Historian
for F. Lawrence Oaks, SHPO

TXDOT - ENV
MAR 21 2000
CRM

cc: Linda Roark, Division of Architecture



Texas Department of Transportation

DEWITT C. GREER STATE HIGHWAY BLDG. • 125 E. 11TH STREET • AUSTIN, TEXAS 78701-2483 • (512) 463-8585

March 10, 2000

SECTION 106: IDENTIFICATION OF AREA OF POTENTIAL EFFECT

Dallas County
CSJ # 0918-45-121, 122

Trinity River Parkway

Mr. John W. Murphey
History Division
Texas Historical Commission
P.O. Box 12276
Austin, Texas 78711

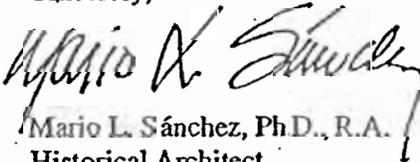
Dear Mr. Murphey:

The proposed project will be undertaken with federal funding and permits. In accordance with the Programmatic Agreement (PA) among TxDOT, FHWA, the Advisory Council on Historic Preservation, and the THC, this letter initiates Section 106 consultation for the proposed Trinity River Parkway. We hereby initiate coordination to establish the area of potential effect (APE) for the project area.

We are in receipt of materials sent to our office by Alston Architects through AR Consultants dated February 17, 2000, presenting the proposed APE for four alternative parkway alignments. We are in agreement with the proposed APE, except in alignment 2. As presented, that alternative shows only one access point to the elevated parkway across from the south side of the floodplain. It appears that, similar to other alternatives, there will be more than one connection to the parkway from the south side. We have requested clarification from Alston Architects on this issue and we have been informed that if there are to be other access points added from the south side to this alternative, the APE will be extended to reflect them.

We ask you concurrence with the limits set for the APE for this project. If you need further information, please feel free to call me at 416-2770.

Sincerely,


Mario L. Sánchez, Ph.D., R.A.
Historical Architect
Environmental Affairs Division

TRINITY PARKWAY PROJECT
MEETING
MINUTES
Texas Historical Commission
Austin, Texas
January 6, 2000
9:30 AM—12:00 PM

Participants present: Mario L. Sanchez, TxDOT, Bill Martin, THC, Stephen P. Austin, COE, Barbara Hickman, TxDOT, Myles Miller, THC, Nancy Kenmotsu, TxDOT, Ann M. Irwin, TxDOT, John W. Murphey, THC, Norman Alston, Alston Architects, Neely Plumb, Alston Architects, Alan Skinner, Skinner and Assoc.

Alan Skinner opened the meeting and provided background on the Trinity Parkway Project, located in a floodplain developed in the 1930s extending in central Dallas east from I 35 to the southeast of downtown.

Ann Irwin requested a briefing on the purpose and need of the project so that the alternatives being proposed could be better understood. Mr. Skinner stated that I 30 was very congested and that vehicular traffic needed to be moved around the central business district along the proposed parkway. There are forecasts that have Dallas growing by 100% by 2020. There are bridges dating to the 1930's that span the floodplain, although the parkway will be designed to go under them.

Mr. Skinner then stated that since the existing Trinity River was channeled and moved away from the original river course in the 1930's, the existing floodplain is an area of low potential for prehistoric archeology. Remnants of the original river are generally outside of the project APE. Ms Irwin made the point that TxDOT does not go beyond the right-of-way (ROW) footprint to do archeological investigations. This is not the case, however, with architectural research, which goes beyond the ROW. Mr. Skinner stated that they will measure 100 feet either way of the levee for the area of archeological investigation.

Mr. Austin stated that there needed to be coordination between agencies so that benefits are maximized for the COE Upper Trinity River Project and the parkway project. Mr. Skinner stated that the City of Dallas needed to formally request the coordination with the COE.

The discussion then switched to the historic bridges across the floodplain. They are not currently registered Dallas landmarks, although they are eligible for the National Register in all likelihood. The Houston Street Viaduct is listed in the National Register. Mr. Alston stated that interest in the Corinth Street Viaduct is quite high. Ms. Irwin reminded everyone that the Corinth Street Viaduct was included in a resolution by the State Legislature a few years ago requesting TxDOT to keep it in operation. Any attempts to remove it will probably generate national interest.

The discussion again proceeded to archeology. Mr. Skinner stated that the 1930's floodway had been mined for soil to build up areas of downtown. As a result of that disturbance, the potential for archeological deposits is low. Mr. Austin added that there is greater potential for archeology the closer one gets to the original river channel. As a result, the part of the parkway that is nearest to the junction of I 35 will be built on piers to minimize impacts. Ms Irwin reminded the group that all proposed alternates, even the costlier ones with little likelihood of being selected, had to receive a comparable level of study. Mr. Skinner assured her that all alternatives are being studied for potential impacts. Mr. Martin concurred with Mr. Skinner that the potential for archeological deposits is low in the area extending 100 feet either way of the levees. The discussion on archeology ended and Mr. Martin, Ms Hickman, Mr. Miller, and Ms Kenmotsu left the meeting.

Mr. Alston then proceeded to make a presentation about impacts on historic structures. Sites 40 years and older will be assessed for impact in the area of potential effect (APE) since construction is planned within ten years, at which time they will be 50 years old. He explained that areas for potential impact exist along the intersection of Iron Ridge and Commonwealth, at the proposed parkway exits, and at bridge connections. The APE will be extended at these sensitive areas. He does not expect to find much architecture of a "distinguished" nature in the APE. Another area for high impact will be that within South Lamar and Starks Ave. A historic neighborhood in the area will be bisected and it will require the removal of some properties.

At this point, Ms. Irwin stated that the 4(f) implications should be taken into consideration regarding study of other feasible or prudent alternatives and included in the NEPA document. Mr. Alston replied that alternatives will be evaluated and the number of properties impacted by each will be given in the EIS. Ms. Irwin stated that 4(f) assessments in EIS studies have gotten to be more important over time. She stated TxDOT needed structure by structure information on properties acquired or impacted as a "constructive use" for the section 4(f) evaluation. Other alignments that would avoid these takings should be studied to satisfy 4(f) requirements. For each alternative, structures should not be presented merely in a large group, but categorized according to decade of construction or some other meaningful grouping. Mr. Alston then added that age of structures and not integrity will be the basis for the historic resource survey within the APE. He then presented the four alternative alignments:

Alternative 1: Separate roads to be laid out along the inside portion of the levees. This is the preferred alternative as to costs and for minimizing impacts to historic properties.

Alternative 2: Single road to be laid out on one side of the levees.

Alternative 3: Separate roads to be laid out along outside portion of the levees

Alternative 4: Referred to as the Industrial Alternative, it is completely elevated.

Mr. Alston then stated that a context for the Brookhollow area (Stemmons Industrial Corridor) has not been developed. The group recognized that noise and traffic will impact the function of adjacent neighborhoods. It was acknowledged that planned

development of lakes and other amenities within the floodplain will certainly generate land use changes that will impact nearby residential structures and neighborhoods.

Mr. Austin noted that Alternative 3 would impact certain sections that fit the profile for an environmental justice assessment. Mr. Alston replied that this alternative would impact an area of modest shotgun houses "The Bottoms" part of the project and that it would be a politically sensitive issue. He then asked Mr. Murphey for the type of information required for evaluating the APE. Mr. Murphey stated that the information must convey a sense for the pattern of development of the area with contextual photographs, as well as those of the most important buildings.

Mr. Alston then discussed Alternative 4, which includes many early 20th century properties in the portion extending south from downtown. This area was developed as a result of the trolley system and includes most of the Colonial Hills neighborhood. Mr. Austin noted that Alternative 4 is the one preferred by the US Corps of Engineers.

Ms. Irwin mentioned that the levee will have to be addressed as a historic property and its integrity will have to be considered. Mr. Austin stated that the levees changed the pattern of development for Dallas and Mr. Skinner concurred that the levees will be addressed in the document establishing the APE. That document will be sent to TxDOT and, eventually, to the THC.

Ms. Irwin made final mention of the need to explore feasible and prudent alternatives to satisfy 4(f) requirements. A preferred alternative is not necessarily the correct one. Alternatives at a variety of locations, including those where there are no takings, should be explored according to 4(f). Ms. Irwin informed Mr. Skinner that TxDOT would need 2 copies of each map showing specific alternatives at the time of submittal. The meeting adjourned at noon.

Ancillary Information

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TEXAS
HISTORICAL
COMMISSION

The State Agency for Historic Preservation

GEORGE W. BUSH, GOVERNOR

JOHN L. NAU, III, CHAIRMAN

F. LAWRENCE OAKS, EXECUTIVE DIRECTOR

EV-2

April 22, 1999

Dept. of the Army
Corps of Engineers, Fort Worth District
Attn: William Fickel
P.O. Box 17300
Fort Worth, TX 76102-0300

Re: *Project review under Section 106 of the National Historic Preservation Act of 1966
Dallas Floodway Extension Project, Dallas, Dallas County (COE/106)*

Dear Mr. Fickel:

Thank you for your correspondence and the documentation describing the above referenced project. This letter serves as comment on the proposed undertaking from the State Historic Preservation Officer, the Executive Director of the Texas Historical Commission. Section 106 of the National Historic Preservation Act requires federal agencies, or their designated representatives, to take into account the effects of their undertakings on historic properties.

The review staff, led by Linda Roark, has completed its review of the information provided. The following properties were evaluated by applying federal criteria for historical designation:

- Santa Fe RR Trinity River Bridge, Dallas, Dallas County, TX
- MKT RR Trinity River Bridge, Dallas, Dallas County, TX
- Southern Pacific RR Trinity River Bridge, Dallas, Dallas County, TX
- Lift Pump Station, east bank of the Trinity River, upriver from I-45 overpass

We concur with the determination that the above-referenced bridges are (each bridge is) ELIGIBLE for listing in the National Register of Historic Places under Criterion C, in the Area of Engineering. The Santa Fe Bridge is significant as a good example of a Pratt through-truss dating from the period 1890-1910, displaying characteristics of its type and method of construction. The MKT Bridge is a good example of Parker through-truss, commonly used by railroads at the turn of the century. The Southern Pacific Bridge is significant as a good example of a Warren through-truss bridge. All three bridges retain a high degree of integrity.

We also concur that the Lift Pump Station, built c. 1954 and lacking distinguishing characteristics, is NOT ELIGIBLE for listing in the National Register of Historic Places.

Despite these findings, however, we are unable to complete the review as you requested based on the information provided in the Dallas Floodway Extension Final Environmental Impact Statement (EIS) and report. Given the Area of Potential Effect (APE) identified by the report, we would anticipate the presence of additional historic resources such as the type of vernacular housing and other structures identified in Tables 5 and 6. Without adequate documentation of such resources, we are unable to complete our review or concur with your determinations of eligibility. To facilitate our review, please provide the following information on all pre-1955 resources within the APE in a standard Texas Historic Sites Inventory form (available upon request):

REC-117
APR 21 1999

P.O. BOX 12276 • AUSTIN, TX 78711-2276 • 512/463-6100 • FAX 512/475-4872 • TDD 1-800-735-2989

www.the.state.tx.us

Trinity River Parkway 60

- Descriptive and historical information including property type, date of construction, stylistic influences, date of construction and background history for each building/structure/landscape feature
- Photo-documentation of each resource
- Mapped location for each resource

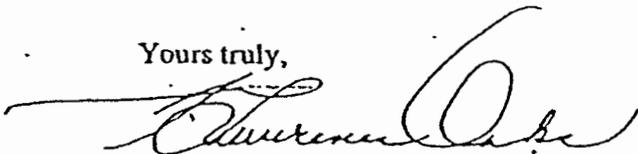
In addition, the EIS should include a statement of methodology as it relates to the gathering of the information.

We are concerned that the APE may not be defined to the extent that it considers all potential effects of the undertaking on historic resources. As an example, the APE boundary is drawn to the south of the National Register-eligible Corinth Street Viaduct. The proximity of the project work to this historic bridge creates the possibility that the project may have an effect on this cultural resource. Until the question of the APE definition is resolved, the eligibility phase of our consultation is completed, and specific project design information is received and reviewed we remain unable to provide a determination of effect for this undertaking.

The existing Programmatic Agreement (PA) for the undertaking addresses only archeological resources. We recommend that the PA be amended to include all cultural resources that may be affected by this undertaking. In addition, we are concerned that this project may be part of a larger undertaking that should be considered as a whole. The Trinity Parkway project, which involves the Corps of Engineers, the North Texas Tollway Authority, the Texas Department of Transportation, the City of Dallas and Dallas County, appears to be based on this and other projects being planned by these various entities. We suggest that a meeting to discuss the overall work being planned in this area would be beneficial.

We look forward to further consultation with your office and hope to maintain a partnership that will foster effective historic preservation. Thank you for your cooperation in this federal review process, and for your efforts to preserve the irreplaceable heritage of Texas. If you have any questions concerning our review or if we can be of further assistance, please contact Linda Roark at 512/463-9122.

Yours truly,



F. Lawrence Oaks, State Historic Preservation Officer

cc: Jim Anderson, Dallas CLG
Rick Loessberg, Dallas County Historical Commission
Lisa Hart, TxDOT Environmental Affairs Division
Alan Stanfill, ACHP

FLO/LR

Received 1/21/99 from Lisa Hart, Historical Studies
Branch, Environmental Division

Continental Street Bridge

Overview:

The Continental Street Viaduct, historically known as the Lamar-McKinney Viaduct, is one of four viaducts constructed during the 1930s as part of a program to relieve traffic congestion over the Trinity River. The bridge is important as a major crossing over the Trinity River and is noted for its long center span and design aesthetic. The Continental Street Viaduct meets National Register eligibility under Criterion C, Engineering, for its design and engineering significance, and as an example of the work of noted Texas' bridge engineer, Francis Hughes.

The approximately 2,120'-0" Continental Street Viaduct is one of four highway viaducts constructed in the early 1930s as part of a plan to relieve traffic congestion over the Trinity River. Prior to the construction of the viaducts, the Dallas-Oak Cliff (Houston Street) Viaduct constructed in 1912, served as the only all-weather road across the Trinity River. By the mid 1920s the steep rise in automobile ownership had exceeded the design capacity of this viaduct, creating the need for additional bridges across the Trinity. This need was met by a \$6,950,000 bond issue approved by voters on April 3, 1928, which provided for the construction of four roadway bridges across the Trinity. The bond issue was tied to a larger \$23,900,000 bond, which called for various civic improvements to Dallas over a nine year period, including the straightening of the Trinity River and construction of a 25 mile system of levees. The city and county combined forces to form the Flood Control District, which had the responsibility for constructing the levee system. Under the agreement between the two governments, the county was responsible for constructing the viaducts, while the city financed drainage and the approaches to the bridges.

All four viaducts were designed by Francis Hughes (1872- 1953), a consulting engineer with the city of Dallas. A native of Missouri, Hughes began his engineering career as draftsman for the Kansas City Bridge Company, after which he worked for various bridge building firms as a detailer and designer. Prior to moving to Dallas in 1928, Hughes worked as an engineer for several highway and building construction companies, gaining experience designing highway and railway bridges, viaducts, mill buildings, foundries, and mine structures. Some of his more notable works following the four the viaducts over the Trinity River include the National Avenue Subway and Benton Avenue Viaduct; Springfield, MO, Corinth and Cadiz Street Underpasses and Triple Underpass; Dallas, Belknap Street Viaduct; Fort Worth, and the system of 16 bridges across the Trinity River. Although Hughes had no formal education in engineering, on the basis

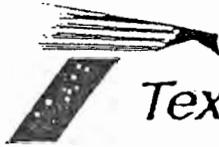
of his practical knowledge, he became an associate member of the American Society of Civil Engineers in 1902.

The contract for constructing the Continental Street Viaduct was awarded to L.H. Lacy Company of Dallas for \$327,822.14. The Continental Street Viaduct was the third viaduct to be constructed. The opening date for all four viaducts was delayed for over a year, as difficulties in obtaining right-of-way land and City budget constraints hampered the construction of the approaches. The Continental Street was probably the last of the four viaducts to open for service.

The Continental Street Viaduct is noteworthy for the long center spans composed of variable-depth cantilever plate girders measuring 200'-0" long over all, including two 40'-0" anchor arms and a 120'-0" main span. These unusually long channel spans were given the same concrete fascia finish as the flanking concrete spans, providing a unified appearance along the total length of the bridge. The aesthetic appearance of the viaduct was further carried by the open-concrete balustrade.

The Continental Street Viaduct has been altered over the years, with deck replacements and repairs to concrete members along the entire length of the bridge. The original light standards were removed in the 1960s and the bridge has extensive cracking and spalling across the concrete surfaces of the structure. Despite these changes, the viaduct retains sufficient integrity of design, materials, workmanship, location, setting, feeling, and association.

4/98



Texas Department of Transportation

DEWITT C. GREER STATE HIGHWAY BLDG. • 125 E. 11TH STREET • AUSTIN, TEXAS 78701-0109

TRANSPORTATION
DISTRICT NO 18
MAR 17 1995
Dallas, Texas
RECEIVED

March 14, 1995

SECTION 106: DETERMINATION OF NRHP ELIGIBILITY

Dallas County
CSJ: 0048-01-035

Corinth Street Viaduct: From 8th Street to Industrial Boulevard in Dallas

Ms. Amy Dase
National Register Programs
Texas Historical Commission
Austin, Texas 78711

Dear Ms. Dase:

The above undertaking will be carried out with federal assistance. In accordance with the provisions of 36 CFR 800, we hereby initiate coordination on the National Register eligibility of the subject bridge structure.

The proposed project will widen or replace the bridge on Corinth Street at the Trinity River in the city of Dallas. The structure is commonly known as the Corinth Street Viaduct. The project location is indicated on the enclosed map.

The subject bridge was constructed in 1930 and consists of a variable-depth haunched-cantilever girder main span and 64 cast-in-place concrete girder approach spans with variable-depth fascia. The main span exhibits the same concrete fascia finish as the flanking approach spans. The bridge retains its original concrete railings with I-shaped balusters and ornamental pillar-type lighting fixtures. Photographs and additional information are included for your reference.

The Corinth Street Viaduct survives as an intact example of a 1920s/1930s haunched-cantilever girder bridge constructed in an urban area. The bridge was one of four viaducts constructed over the Trinity River floodway during a three-year period between 1929 and 1931. The four bridges were intended to relieve congestion on the then-lone Houston Street (Oak Cliff) Viaduct, a 1912 concrete-arch structure which was the first permanent crossing over the floodway. The Houston Street structure was listed in the National Register of Historic Places in 1984.

The National Register-eligibility of the Corinth Street Viaduct was evaluated at your March 3, 1995 meeting with Gary Hammer of my staff. At that time, the structure was determined

EXHIBIT H
HISTORICAL BRIDGE RELATED CORRESPONDENCE

Ms. Amy Dase

(2)

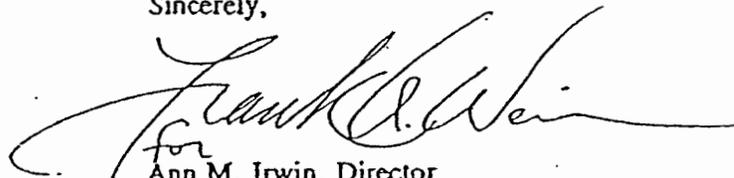
March 14, 1995

Dallas County
Corinth Street Viaduct: From 8th Street to Industrial Boulevard in Dallas

eligible for National Register-listing under Criterion C as a relatively unaltered urban example of a ca. 1930 major steel-girder bridge. The structure may also be eligible under Criterion A for its contribution to the development of the transportation system in the city of Dallas.

We request your written confirmation of the National Register-eligibility of the Corinth Street Viaduct. Should you have any additional questions, please contact Gary Hammer at 416-2755.

Sincerely,



for
Ann M. Irwin, Director
Cultural Resources Management
Environmental Affairs Division

CONCUR

Enclosures

Eligible

Not Eligible

James W. Stealy
(James W. Stealy)
Deputy State Historic Preservation Officer

3/15/95 acd
Date

EXHIBIT H
HISTORICAL BRIDGE RELATED
CORRESPONDENCE, CONTINUED



CC: CRM 1-8-04

Texas Department of Transportation

DEWITT C. GREER STATE HIGHWAY BLDG. • 125 E. 11TH STREET • AUSTIN, TEXAS 78701-2483 • (512) 463-8585

8 January 2004

Section 106 and Antiquities Code Coordination

Dallas County
CSJ 0918-45-121
Antiquities Permit No. 2302

Trinity River Parkway Study from W of IH 35E/US 183 to E of FM 310/US 175

James E. Bruseth, Ph.D.
Department of Antiquities Protection
Texas Historical Commission
P.O. Box 12276
Austin, Texas 78711
Dear Dr. Bruseth:

The proposed project will be undertaken with state and federal assistance. As required by the National Historic Preservation Act of 1966, as amended, and by Senate Bill 58, The Antiquities Code of Texas, and our Memorandum of Understanding with your agency, we are coordinating the proposed bridge replacement project with your office.

Please find attached a copy of *The Trinity River Parkway Archival and Archaeological Evaluation* by Dr. S. Alan Skinner and Sonny A. Wheeler of AR Consultants. Their archival and archeological investigation of the Trinity River Parkway study area for the North Texas Tollway Authority has been updated to include the new Alternative 3B, along with new maps and other revisions.

We request your review and comment on the attached draft report. If you have any questions, please call Barbara Hickman at 512-416-2637 or e-mail bhickman@dot.state.tx.us.

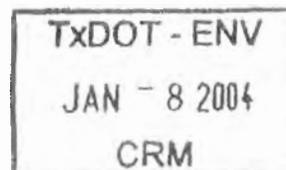
Sincerely,

Barbara J Hickman, Staff Archeologist
Archeological Studies Program
Environmental Affairs Division

Attachment

cc: w/o attach.: Mr. David Morgan
Halff Associates, Inc.
8616 Northwest Plaza Drive
Dallas TX 75225

Dallas District, attn: Mr. Dan Perge
ERG CRM/SBW BJH



LOCKE LIDDELL & SAPP LLP

ATTORNEYS & COUNSELORS

2200 ROSS AVENUE
SUITE 2200
DALLAS, TEXAS 75201-6776

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WRITER'S DIRECT DIAL:
(214) 740-8670
E-MAIL: faddison@lockelldell.com

March 8, 2004

VIA HAND DELIVERY

Michael Hellman, Sr.
Senior Park Planner
Park and Recreation Department
City Hall, 6FN
1500 Marilla
Dallas, Texas 75201

RE: Section 4(f) – Applicability Request Concerning Publicly Owned Lands Within or Near Potential Right-of-Way of Dallas Floodway Alternatives Being Studied for Proposed Trinity Parkway in Dallas, Texas

Dear Mr. Hellman:

Please be informed we represent the North Texas Tollway Authority (“NTTA”) in connection with construction and operation of the Trinity Parkway, currently being planned and located in the City of Dallas, Dallas County, Texas. NTTA, the Texas Department of Transportation (“TxDOT”), and the Federal Highway Administration (“FHWA”) are currently studying proposed alternatives for the Trinity Parkway and are attempting to make a determination regarding the applicability of Section 4(f) of the Department of Transportation Act of 1966. We seek to determine whether publicly owned lands within the Dallas Floodway and near or within the potential right-of-way of four of the six build alternatives include parklands or other 4(f) properties. Depending upon the alternative, each alternative encroaches to a varying degree upon the floodway. For example:

- Alternative 3A is a combined road benched upon the inside of the east levee of the Dallas Floodway.
- Alternative 3B is the same footprint as Alternative 3A but has less main lane capacity.
- Alternative 4 splits the main lanes and is benched along both the inside of the east levee and inside of the west levee of the Dallas Floodway.
- Alternative 5 splits the main lanes and is benched along the outside of the east levee and the outside of the west levee of the Dallas Floodway. Alternative 5, however, crosses the Dallas Floodway in its north and south sections.

Michael Hellman, Sr.
Senior Park Planner
March 8, 2004
Page 2

The purpose of this letter is to request information from you necessary to allow NTTA, FHWA, and TxDOT to determine the applicability of Section 4(f) to land within the Dallas Floodway that may be impacted by the four potential build alternatives set forth above. I have attached an aerial photograph as Attachment 1 reflecting the various alternatives under consideration, including the four build alternatives that encroach upon the floodway.

Our preliminary investigation to date reveals the following:

1. Based on City of Dallas Park Site data entry (see Attachment 2) the lands within the levees from the AT&SF – Dart Railroad (southern portion of the project area) to Northwest Highway (approximately 4-miles northwest of project area) are known as the Trinity River Park or the Trinity River Greenbelt Park. This park, owned by the Parks and Recreation Department of the City of Dallas, has an area of approximately 3,652.69 acres. The major purposes of the park are described as open space and flood control. Each of the four alignments noted above enters the Trinity River Park.
2. A scoping package was provided to the City of Dallas on September 20, 2001, in an effort to identify public parks within or near the proposed build alternative alignments. The scoping package included a major freeway / highway map of the study area, an aerial photograph, a map showing the parks and recreation areas identified in the study area, and ancillary information pertaining to a previous 4(f) determination within the Trinity River Park near the Corinth Street Bridge made in 1996. Included as Attachment 3 is the map reflecting Parks and Recreation Areas within the study area. On January 31, 2002, you responded on behalf of the City of Dallas (see Attachment 4) stating:

“The alignments that are in or touch the Trinity River Park (between the levees) will not have 4(f) issues or fall under the requirements of the Texas Parks and Wildlife Code as the deed indicates the property is to be used for park and transportation uses.”

The deed referred to in the City of Dallas’ letter is known as the “Stemmons Deed.” It transferred approximately 930 acres of land owned by Industrial Properties, Inc. within the Dallas Floodway. A copy of the deed and escrow agreement related to it are attached hereto as Attachment 5. The Stemmons Deed conveyed land located between the AT&SF Railroad to a point just north of Hampton/Inwood Road. Attachment 6 is a map showing what we understand to be the boundary of the land encompassed by the Stemmons Deed. In particular, the Stemmons Deed includes the following restriction:

“... the property shall be used for parks, open space, recreational, transportation facilities, including roadways on and adjacent to the levees ...”

The Stemmons Deed also indicates that some of the parcels within the floodway were, at the time, privately owned parcels not owned by Industrial Properties. Pursuant to an Escrow Agreement executed by the City of Dallas, the remaining parcels outside the boundary of the lands conveyed by the Stemmons Deed were to be acquired by January 1, 1974.

By letter of January 17, 1974, a copy of which is included as Attachment 7, the City of Dallas through its then City Attorney stated:

“In my opinion, the City of Dallas, as of January 17, 1974, either had title to or had suits pending that will result in acquiring said title to all of the lands referred to in said [escrow] agreement.”

Similarly, the City of Dallas Trinity River Corridor Project – History (Attachment 8) indicates the City of Dallas fulfilled the requirements of the Stemmons Deed by acquiring by gift, purchase or the power of eminent domain all remaining privately held lands between the levees by the applicable date in 1974.

I have also enclosed a copy of the March 23, 1995 correspondence (Attachment 9) concerning a parcel of land within the floodway used for the Corinth Street Viaduct project. In connection with the Corinth Street Viaduct project it was confirmed some of the parcels within the floodway were purchased with matching grant funds from the Federal Department of Housing and Urban Development (“HUD”) open space project. The letter states:

“Federal restrictions related to conversions of open-space projects were repealed by the Housing and Urban-Rural Recovery Act of 1983. This action removes any federal requirements related to conversion of open-space land to other uses.”

The letter adds:

“The original property donation was with the condition that the property could be used for flood control, transportation, and recreation.”

NTTA understands these same conditions were applicable to those properties acquired through fee simple purchasing or through exercise of eminent domain

Michael Hellman, Sr.
Senior Park Planner
March 8, 2004
Page 4

and thus, would apply in connection with the Trinity Parkway. Attachment 10 is a letter from FHWA stating 4(f) does not apply to the parcel of land used for the Corinth Street Viaduct project.

As you can see from Exhibit 1, each build alternative encroaching on the Dallas Floodway falls within the boundaries of the Stemmons Deed. Alternatives 4 and 5, however, cross the floodway northwest of Hampton / Inwood Road.

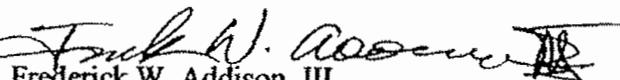
Our preliminary investigation indicates there are currently no park facilities within the floodway presenting 4(f) issues, or requiring 4(f) analysis. Park facilities within the floodway have been developed under conveyances that provide concurrently for transportation facilities.

Please review the above information. We would appreciate your confirming the City does not believe Section 4(f) applies to any of the park facilities located within the floodway.

Should you have any questions, please don't hesitate to contact me. Please contact me should you need additional information in making the 4(f) determination. We appreciate your assistance in this matter.

Very truly yours,

LOCKE LIDDELL & SAPP LLP
Attorneys & Counselors

By 
Frederick W. Addison, III

FWA:kp
Enclosure

cc: Chris Anderson
Frank Stevenson
Martin Malloy – Halff Associates (Via Hand Delivery)



U.S. Department
of Transportation
**Federal Highway
Administration**

Texas Division Office
300 E. 8th Street, Rm. 826
Austin, Texas 78701

August 19, 2002

In Reply Refer To:
HA-TX

RE: Consultation for FHWA/TxDOT Dallas District
Project Trinity Parkway Toll Road from SH 183/IH 35E
To US 176/SH 310 in Dallas County, Texas. CSJ: 0918-45-121

Mr. Bruce Gonzales, President
The Delaware Nation
P.O. Box 825
Anadarko, Oklahoma 73005

Dear Mr. Gonzales:

The above referenced transportation project is being considered for construction by the Federal Highway Administration (FHWA) and the Texas Department of Transportation (TxDOT), and we are in the process of conducting environmental studies for the project. The project is located in an area that may be of interest to your tribe. A brief summary of the proposed project as well as a map of its general location and a map of the specific project location are enclosed for your review. The summary includes information on archeological sites (if any) that are present within the area of the proposed project as well as the recommendations of TxDOT archeologists concerning the proposed project.

In accordance with our Programmatic Agreement under Section 106 of the National Historic Preservation Act, we are writing to request your comments on historic properties of cultural or religious significance to your tribe that may be affected by the proposed undertaking. Any comments you may have on TxDOT's recommendations should also be provided. Please provide your comments within 30 days of receipt of this letter.

Thank you for your attention to this matter. If you have questions, please contact me at (512) 536-5951 or Ms. Barbara Hickman, TxDOT Archeologist, at (512) 416-2637.

Sincerely,

Salvador Deocampo
Urban Program Engineer

Enclosure

cc w/enclosures: FHWA District Engineer; Ms. Dianna F. Noble, P.E., Director, TxDOT-ENV; Ms. Elvia Gonzales, TxDOT-ENV, Project Manager; Mr. Dan Perge, TxDOT District Environmental Coordinator; Mr. Christopher Anderson, NTTA; Ms. Barbara Hickman, TxDOT Archeologist

The attached letter was sent to the following tribes on 9-5-02 :

Mr. James Lee Edwards
Governor
Absentee-Shawnee Executive Committee
2025 S. Gordon Cooper Drive
Shawnee, OK 74801-9381

Mr. Alonzo Chalepah
Chairperson
Apache Tribe of Oklahoma
Cultural Heritage Committee
P. O. Box 1220
Anadarko, OK 73005

Dr. Joe Watkins
BIA-Anadarko
P. O. Box 368
Anadarko, OK 73005

Ms. LaRue Parker
Chairperson
Caddo Tribe of Oklahoma
P. O. Box 487
Binger, OK 73009

Mr. Johnny Wauqua
Chairperson
Comanche Tribe of Oklahoma
IC 32 Box 1720
Lawton, OK 73502

Mr. Bruce Gonzales
President
The Delaware Nation
P. O. Box 825
Anadarko, OK 73005

Mr. Charles D. Enyart
Chief
Eastern Shawnee Tribe of Oklahoma
P. O. Box 350
Seneca, MO 64865

Ms. Bobbi Darnell
Chairperson
Kickapoo of Kansas
P. O. Box 271
Horton, KS 66439

Mr. Danny Kaskaske
Chairperson
Kickapoo of Oklahoma
Business Committee
P. O. Box 70
McCloud, OK 74851

Mr. Raul Garza
Chairperson/NAGPRA Coordinator
Kickapoo Traditional Tribe of Texas
HCI Route, Box 9700
Eagle Pass, TX 78852

Ms. Sara Misquez, President
c/o Donna Stern-McFadden
Mescalero Apache Tribe
P. O. Box 227
Mescalero, NM 88340

Mr. R. Perry Beaver
Principal Chief
Muscogee (Creek) Nation
P. O. Box 580
Okmulgee, OK 74447

Mr Eddie Tullis, Chairperson
Poarch Creek Indians
5811 Jack Springs Road
Atmore, AL 36502

Mr. John Miller
Chairperson
Pokagon Band of Potawatomi Indians of
Michigan
P. O. Box 180
Dowagiac, MI 49047

Ms. Tamara Summerfield
Chairperson
Quapaw Tribal Business Committee
P. O. Box 765
Quapaw, OK 74363

Mr. Billy Cypress, Chairperson
c/o W. S. Steele
Seminole Indian Tribe
Ah-Tah-Thi-Ki Museum
HC-61, Box 21A
Clewiston, FL 33440

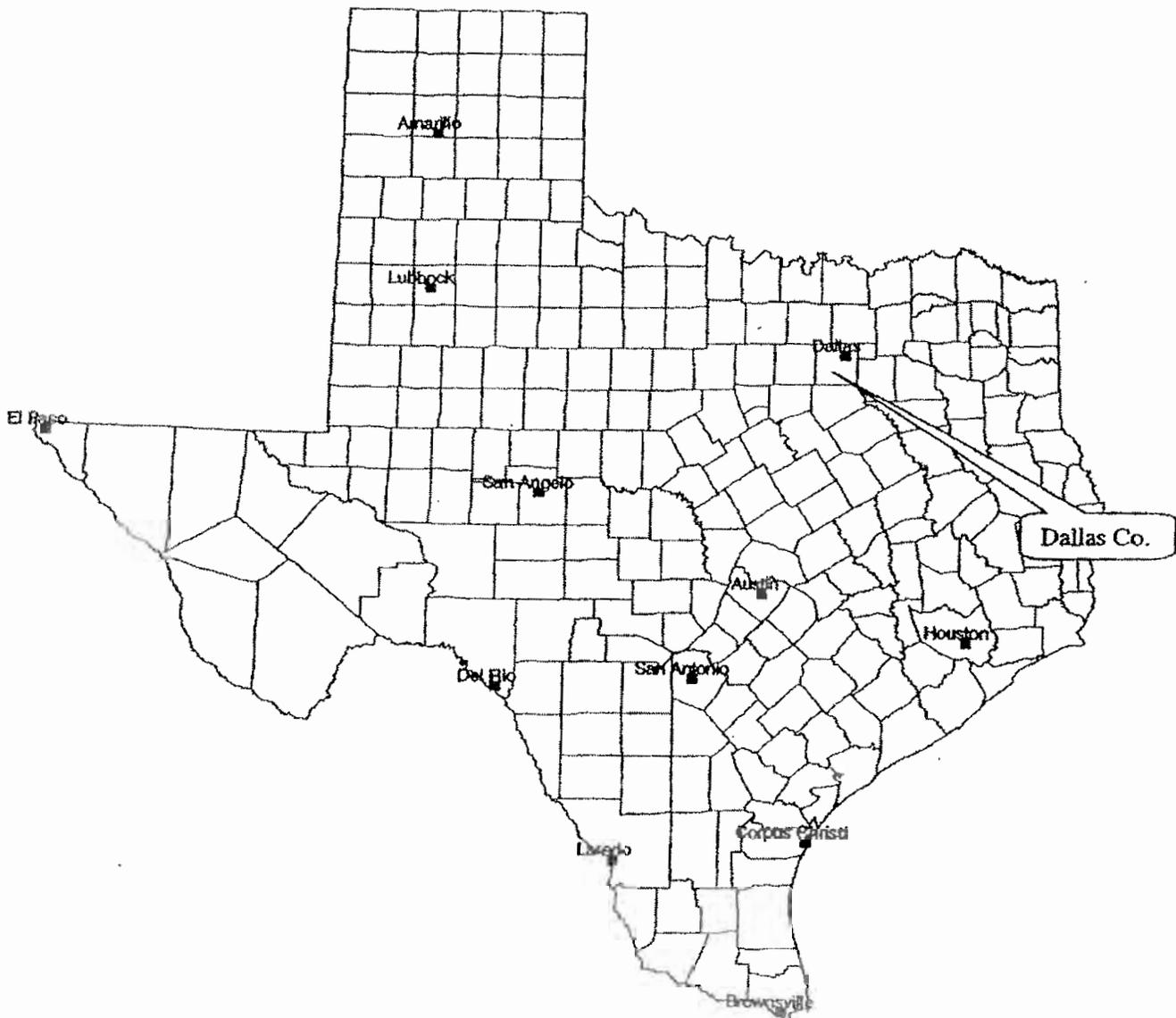
Mr. Kenneth Chambers
Principal Chief
Seminole Nation of Oklahoma
P. O. Box 1498
Wewoka, OK 74884

Mr. Gary McAdams
President
Wichita and Affiliated Tribes
P. O. Box 729
Anadarko, OK 73005

County Location Map

County Dallas Project CSJ: 0918-45-121

Project Name Trinity Parkway Toll Road from SH 183/IH 35E to US 175/SH 310



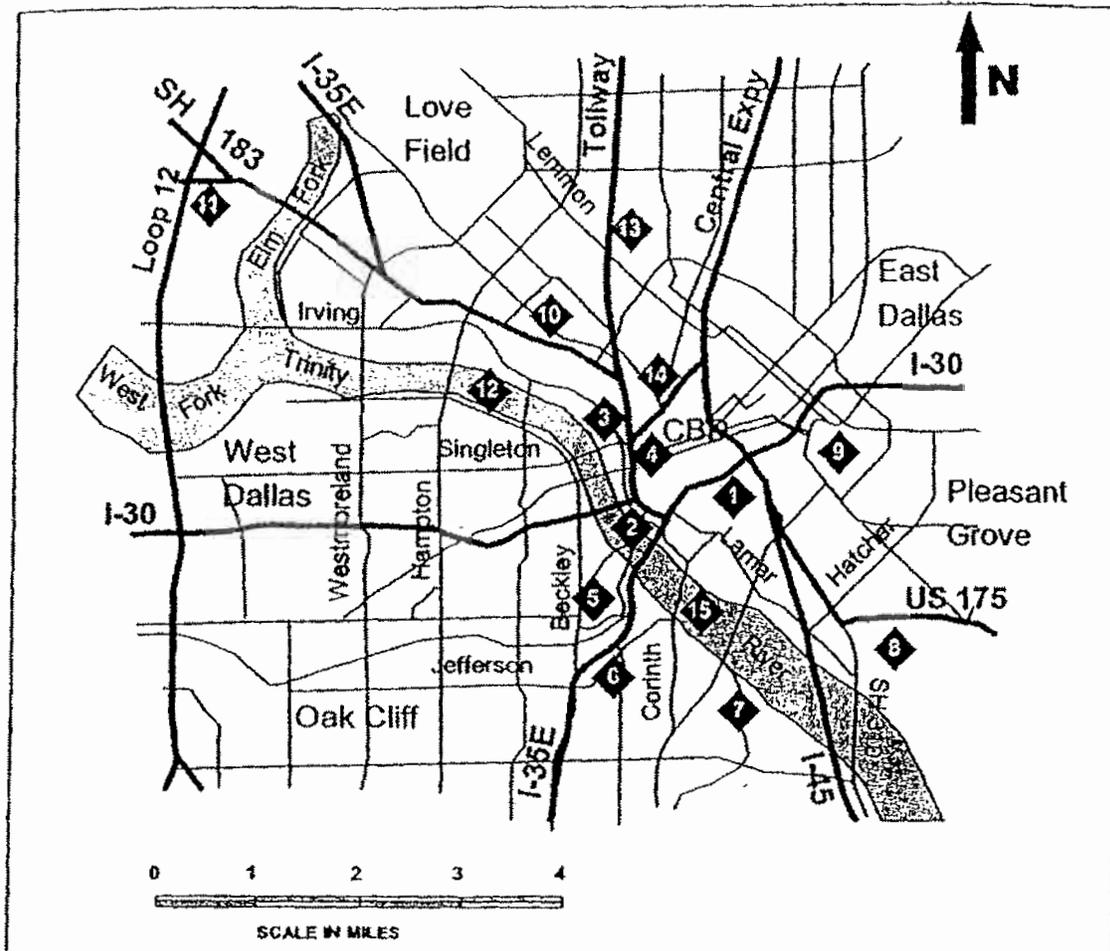


Figure 1-1 Project Area Map

Places of Interest

- | | |
|-------------------------------|-------------------------------|
| 1 - Canyon (IH-30) | 9 - Fair Park |
| 2 - Mixmaster (IH-35E/IH-30) | 10 - Parkland Hospital |
| 3 - Lower Stemmons (IH-35E) | 11 - Texas Stadium |
| 4 - West End and Dealey Plaza | 12 - Dallas Floodway |
| 5 - Methodist Medical Center | 13 - Dallas North Tollway |
| 6 - Dallas Zoo | 14 - Woodall Rodgers Freeway |
| 7 - Cadillac Heights | 15 - DART Rail River Crossing |
| 8 - Rochester Park | |

Other Notes

- IH-35E north of Dallas CBD is referred to as "Stemmons Freeway"
- IH-35E south of the Dallas CBD is referred to as "South R.L. Thornton Freeway"
- IH-30 west of the Dallas CBD is referred to as the "Tom Landry Freeway"
- IH-30 east of the Dallas CBD is referred to as "East R.L. Thornton Freeway"

Trinity Parkway Dallas County CSJ 0918-45-121

1.1 PROJECT DESCRIPTION

The NTTA proposes to construct, operate, and maintain a limited access toll facility from the IH-35E/SH-183 interchange (northern terminus) to the US-175/SH-310 interchange (southern terminus), a distance of approximately nine miles, in the City of Dallas, Dallas County, Texas. The proposed action would provide a needed reliever route around the existing freeway loop, which encircles downtown Dallas.

The Trinity Parkway would consist of six to eight mixed-flow main lanes, local street interchanges, and freeway-to-freeway interchanges at the north terminus, south terminus, and Woodall Rodgers Freeway connection. Access roads would be added to restore property access where it currently exists, subject to agency justification and approval due to cost, engineering considerations or other impacts. Toll collection facilities would comprise main lane plazas, ramp plazas, and ancillary facilities. The proposed roadway may be constructed in stages, with fewer lanes initially than the ultimate facility. In this case, additional capacity would be added as traffic demand and conditions warrant. Actual construction of the project may also be accomplished in sections, meaning that specific roadway segments may be completed and opened to traffic prior to the completion and opening of the entire length of the facility. Funding for the proposed project is anticipated to be provided by local, state, and federal sources, and through the collection of tolls.

60128

ANTIQUITIES PERMIT EXTENSION FORM

RECEIVED
DEC 11 2006

GENERAL INFORMATION

Texas Historical Commission

Principal Investigator ALAN SKINNER

Permit Number #4012 Current Expiration Date JANUARY 20, 2007

STATUS OF PERMIT REQUIREMENTS

I. ANALYSIS

List all ongoing analyses all complete for current work

II. REPORT

List the current number of chapters in draft or final form draft being reviewed

III. BUDGET

List funds available to complete all permit requirements sufficient available

PERMIT EXTENSION REQUEST

Permit Extension Requested for 2 Years 0 Months (1 year minimum)

Principal Investigator [Signature]
(Signature)

Please Print Name S. Alan Skinner

Mailing Address AR Consultants, Inc. 11040 Audelia Rd, Suite C105

City, State, Zip Dallas, Tx 75243

FOR OFFICIAL USE ONLY

- Extension granted
- Extension denied

[Signature]
for F. Lawrence Oaks
New Expiration Date JANUARY 20, 2009

Date reviewed 12-12-06

Texas Historical Commission
Archeology Division
P.O. Box 12276, Austin, TX 78711-2276
Phone 512/463-6096
www.the.state.tx.us



TEXAS HISTORICAL COMMISSION

The State Agency for Historic Preservation

AR Consultants, Inc.

Archaeological and Environmental Consulting
11020 Audelia Road, Suite C105
Dallas, Texas 75243-9085
Phone: (214) 368-0478
Fax: (214) 221-1519
E-mail: arcdigs@aol.com

September 7, 2007

Bill Martin, Archeologist
Texas Historical Commission
PO Box 12276
Austin, TX 78711

Dear Bill,

Enclosed is a copy of our draft report titled "Archaeological Testing for the Trinity Parkway" that was prepared as part of Permit 4012. The geomorphology for this project was done by Charles Frederick with the assistance of Lance Trask. These guys are the major authors of the enclosed report. As you will see, we located and recorded two sites and recovered two radiocarbon samples from the prehistoric site. The dates are relatively young and in fact compare favorably to the date we got last year on the buried hearth adjacent to the pipeline route through Cedar Hill State Park. We recommend that further trenching is warranted at site 41DL441.

If you have any questions, feel free to contact Charles or Lance or me. We look forward to your review.

Sincerely,

S. Alan Skinner, PhD
President

Encl. Trinity Parkway Testing – one copy

cc.  David Morgan, Half Associates, Inc.
Skipper Scott, Fort Worth District, Corps of Engineers

recd 10/22/07



TEXAS
HISTORICAL
COMMISSION

The State Agency for Historic Preservation

RICK PERRY, GOVERNOR

JOHN L. NAU, III, CHAIRMAN

F. LAWRENCE OAKS, EXECUTIVE DIRECTOR

October 12, 2007

Mr. Wayne Lea
SWFOD-O
Department of the Army
Fort Worth District, Corps of Engineers
P.O. Box 17300
Fort Worth, TX 756102

Re: Project review under Section 106 of the National Historic Preservation Act of 1966
Draft report: *Archaeological Testing for the Trinity River Parkway*.
(COE-FWD/NTTA TAC# 4012)

Dear Mr. Lea:

We are in receipt of the above referenced draft report. This letter serves as comment on the proposed undertaking from the State Historic Preservation Officer, the Executive Director of the Texas Historical Commission. As the state agency responsible for administering the Antiquities Code of Texas, we also provide comments on compliance with state law.

After examining the document, we find it to be a thorough well written discussion of the various sedimentary depositional units present within the Dallas Floodway. We concur with the authors' recommendation that additional trenching and hand excavation is needed to test site 41DL441 in order to assess its eligibility for inclusion in the National Register of Historic Places. A testing plan must be submitted to this office for review along with an Antiquities Permit for test excavations prior to initiation of this additional work.

We also concur that no further work is needed at site 41DL440, the historic dump. It appears to be ineligible for inclusion in the National Register of Historic Places or for designation as a State Archeological Landmark.

We noted a few typographical errors that should be corrected, but otherwise find the report to be acceptable. We look forward to receiving 20 copies of the final report.

Thank you for your cooperation in this federal and state review process, and for your efforts to preserve the irreplaceable heritage of Texas. **If we can be of further assistance, please Bill Martin at 512/463-5867.**

Sincerely,

A handwritten signature in cursive script, appearing to read "F. Lawrence Oaks".

for
F. Lawrence Oaks, State Historic Preservation Officer
FLO/wam

cc S. Alan Skinner, Ph.D., AR Consultants, Inc.

AR Consultants, Inc.

Archaeological and Environmental Consulting
11020 Audelia Road, Suite C105
Dallas, Texas 75243-9085
Phone: (214) 368-0478
Fax: (214) 221-1519
E-mail: arcdigs@aol.com

November 5, 2007

Wayne Lea
Regulatory Branch
Fort Worth District, Corps of Engineers
PO 17300
Fort Worth, TX 76102

Dear Mr. Lea,

Enclosed are two revised and final copies of our report titled "Archaeological Testing for the Trinity River Parkway" which was reviewed in a letter to you from the Texas Historical Commission dated October 12, 2007. We have addressed the comments provided by the Texas Historical Commission and we are pleased to see that they concurred with our recommendations regarding archaeological sites 41DL440 and 41DL441. We look forward to conducting additional testing at 41DL441.

As this was a Texas Antiquities Code investigation, we are sending the necessary copies and CD to the Texas Historical Commission.

If you have any questions, please contact me at 214 368 0478. Thank you for your concern for the archaeological resources of Texas.

Sincerely,

S. Alan Skinner, PhD
President

Encl. Trinity Parkway reports-2

cc. ~~Bill Martin~~, THC with reports and CD
~~David Morgan~~, Halff Associates, Inc.

AR Consultants, Inc.

Archaeological and Environmental Consulting
11020 Audelia Road, Suite C105
Dallas, Texas 75243-9085
Phone: (214) 368-0478
Fax: (214) 221-1519
E-mail: arcdigs@aol.com

November 27, 2007

Barbara Hickman, Staff Archaeologist
Cultural Resources Management Section
Environmental Affairs Division
TxDOT
125 E. 11th St.
Austin, TX 78701-2483

Dear Barbara,

Enclosed you will find a copy of our final report titled "Archaeological Testing for the Trinity Parkway" which describes the results of the excavation of 41 backhoe/tracker trenches in the Trinity River floodplain. As you will see we found that much of the floodplain has been heavily mined for fill and probably gravel and that little preserved archaeology was located despite trenching those locations that Charles Frederick and I believed had potential. We did find one buried hearth site that we recommend for further testing.

If you have any questions, please give me a call.

Sincerely,

S. Alan Skinner, PhD
President

Encl. Trinity Parkway report

cc.  David Morgan, Halff Associates, Inc.
Skipper Scott, Corps of Engineers



TEXAS
HISTORICAL
COMMISSION

The State Agency for Historic Preservation

RICK PERRY, GOVERNOR
JOHN L. NAU, III, CHAIRMAN
F. LAWRENCE OAKS, EXECUTIVE DIRECTOR

December 3, 2007

Alan Skinner
AR Consultants
11020 Audelia Rd, Ste. C, 105
Dallas, TX 75243

Re: Project review under the Antiquities Code of Texas
CD: Trinity River Parkway, Dallas County
Texas Antiquities Permit #4012
COMPLETED PERMIT

Dear Colleague:

Thank you for your correspondence describing the above referenced project. This letter presents the comments of the Executive Director of the Texas Historical Commission, the state agency responsible for administering the Antiquities Code of Texas.

The Archeology Division recently received a PDF tagged CD and a completed *Abstracts in Texas Contract Archeology* form for the above referenced permit. The earlier submission of twenty copies of the final report demonstrates completion of your permit requirements under Permit #4012.

Thank you for your cooperation in this state review process, and for your efforts to preserve the irreplaceable heritage of Texas. **If you have any questions concerning our review or if we can be of further assistance, please contact Lillie Thompson at 512/463-1858.**

Sincerely,

A handwritten signature in cursive script, appearing to read "F. Lawrence Oaks".

for
F. Lawrence Oaks, State Historic Preservation Officer

FLO/lft

State of Texas
TEXAS ANTIQUITIES COMMITTEE

ARCHEOLOGY PERMIT # 4986

This permit is issued by the Texas Historical Commission, hereafter referred to as the Commission, represented herein by and through its duly authorized and empowered representatives. The Commission, under authority of the Texas Natural Resources Code, Title 9, Chapter 191, and subject to the conditions hereinafter set forth, grants this permit for:

Testing

To be performed on a potential or designated landmark or other public land know

Title: Trinity Parkway from IH 35E/SH183 to US175/SH310 Testing
County: Dallas
Location: Approximately 1,029 feet north of Perimeter Road and about 2,285 feet west of Hampton Road

Owned or Controlled by: (hereafter known as the Permittee):

City of Dallas
1500 Marilla Street
Dallas, TX 75201

Sponsored by (hereafter known as the Sponsor)

Texas Department of Transportation
125 East 11th Street
Austin, TX 78701

The Principal Investigator/Investigation Firm representing the Owner or Sponsor is:

Jesse Todd
AR Consultants, Inc.
11020 Audelia Rd, Suite C105
Dallas, TX 75243

This permit is to be in effect for a period of:

2 Years and 0 Months

and Will Expire on:

07/28/2010

During the preservation, analysis, and preparation of a final report or until further notice by the Commission, artifacts, field notes, and other data gathered during the investigation will be kept temporarily at:

AR Consultants

Upon completion of the final permit report, the same artifacts, field notes, and other data will be placed in a permanent curatorial repository at:

Texas Archeological Research Lab.

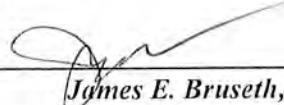
Scope of Work under this permit shall consist of:

Deep testing and hand excavated 1x1 test units of site 41DL441. For details, see scope of work submitted with permit application.

This permit is granted on the following terms and conditions:

- 1) *This project must be carried out in such a manner that the maximum amount of historic, scientific, archeological, and educational information will be recovered and preserved and must include the scientific, techniques for recovery, recording, preservation and analysis commonly used in archeological investigations.*
- 2) *The Principal Investigator/Investigation Firm, serving for the Owner/Permittee and/or the Project Sponsor, is responsible for insuring that specimens, samples, artifacts, materials and records that are collected as a result of this permit are appropriately cleaned, and cataloged for curation. These tasks will be accomplished at no charge to the Commission, and all specimens, artifacts, materials, samples, and original field notes, maps, drawings, and photographs resulting from the investigations remain the property of the State of Texas, or its political subdivision, and must be curated at an appropriate repository. Verification of curation by the repository is also required, and duplicate copies of any requested records shall be furnished to the Commission before any permit will be considered complete.*
- 3) *The Principal Investigator/Investigation Firm serving for the Owner/Permittee, and/or the Project Sponsor is responsible for the publication of results of the investigations in a thorough technical report containing relevant descriptions, maps, documents, drawings, and photographs. A draft copy of the report must be submitted to the Commission for review and approval. Any changes to the draft report requested by the Commission must be made or addressed in the report, or under separate written response to the Commission. Once a draft has been approved by Commission, twenty (20) copies of the final report shall be furnished to the Commission.*
- 4) *If the Owner/Permittee, Project Sponsor or Principal Investigator/Investigation Firm fails to comply with any of the Commission's Rules of Practice and Procedure or with any of the specific terms of this permit, or fails to properly conduct or complete this project within the allotted time, the permit will fall into default status and/or the Commission may cancel the permit until such time that the terms of the permit are properly completed. Notification of Cancellation shall be sent to the Owner/Permittee and the Principal Investigator/Investigation Firm, and all work associated with the permit must then stop immediately upon receipt of the notice. Notification of Default status shall be sent to the Principal Investigator/Investigation Firm, and the Principal Investigator will not be eligible to be issued any new permits until such time that the conditions of this permit are complete.*
- 5) *The Owner/Permittee, Project Sponsor, and Principal Investigator/Investigation Firm, in the conduct of the activities hereby authorizes, must comply with all laws, ordinances and regulations of the State of Texas and of its political subdivisions including, but not limited to, the Antiquities Code of Texas; they must conduct the investigation in such a manner as to afford protection to the rights of any and all lessees or easement holders or other persons having an interest in the property and they must return the property to its original condition insofar as possible, to leaves it in a state which will not create hazard to life nor contribute to the deterioration of the site or adjacent lands by natural forces.*
- 6) *Any duly authorized and empowered representative of the Commission may, at any time, visit the site to inspect the fieldwork as well as the field records, materials, and specimens being recovered.*
- 7) *For reasons of site security associated with nautical historical resources, the Project Sponsor (if not the Owner/Permittee), Principal Investigator, and Investigation Firm shall not issue any press releases, or divulge to the news media, either directly or indirectly, information regarding the specific location of, other information that might endanger those resources, or their associated artifacts without first consulting with the Commission, and the State agency or political subdivision of the State that owns or controls the land where the resource has been discovered.*
- 8) *This permit may not be assigned by the Principal Investigator/Investigation Firm, Owner/Permittee, or Project Sponsor in whole, or in part to any other individual, organization, or corporation not specifically mentioned in this permit without the written consent of the Commission.*
- 9) *Hold Harmless: The Owner/Permittee hereby expressly releases the State and agrees that Owner/Permittee will hold harmless, indemnify, and defend (including reasonable attorney's fees and cost of litigation) the State, its officers, agents, and employees in their official and/or individual capacities from every liability, loss, or claim for damages to persons or property, direct or indirect of whatsoever nature arising out of, or in any way connected with, any of the activities covered under this permit.*
- 10) *Addendum: The Owner/Permittee, Project Sponsor and Principal Investigator/Investigation Firm must abide by any addenda hereto attached.*

Upon a finding that it is in the best interest of the State, this permit is issued on 07/28/2008.


*James E. Bruseth, for the
Texas Historical Commission*



Texas Department of Transportation

DEWITT C. GREER STATE HIGHWAY BLDG. • 125 E. 11TH STREET • AUSTIN, TEXAS 78701-2483 • (512) 463-8585

June 11, 2009

SECTION 106: PROPOSAL FOR ADDITIONAL RECONNAISSANCE AND WINDSHIELD LEVEL SURVEYS

Dallas County
CSJ # 0918-45-121; 0918-45-122

Trinity River Parkway Corridor

Ms. Adrienne Campbell
History Division
Texas Historical Commission
P.O. Box 12276
Austin, Texas 78711

Dear Ms. Campbell:

In accordance with the Amended Programmatic Agreement (PA-TU) among TxDOT, FHWA, the Advisory Council on Historic Preservation, and the THC, this letter *continues* Section 106 consultation for the proposed Trinity River Parkway. This correspondence is written in response to our meeting on June 4, 2009 where we discussed possible methodologies for added reconnaissance and windshield level surveys to further identify historic-age properties in various alternatives.

PROJECT BACKGROUND:

The Trinity River Parkway is intended to solve transportation problems along the Trinity River Corridor in the city of Dallas, Dallas County, Texas. The project will also be integrated with plans for the Trinity River Floodway, a major open space resource in the center of Dallas. High population growth and lack of alternative routes have extended the hours of congestion, increased the number of accidents, and contributed to air pollution in this part of Dallas.

The Trinity Parkway is designed to lessen congestion and to improve mobility in central Dallas and its adjacent areas. Five alternatives have been identified to meet the goal of increased efficiency in the mobility of travelers in this section of Dallas:

- Alternative 2A – Industrial Boulevard (elevated)
- Alternative 2B – Industrial Boulevard (at grade)
- Alternative 3A, B, C – Combined Alternative East Riverside of Levee
- Alternative 4A, B – Split Parkway Riverside
- Alternative 5 – Split Parkway Landside

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INCREASE THE VALUE OF OUR TRANSPORTATION ASSETS

An Equal Opportunity Employer

SECTION 106 COORDINATION BACKGROUND:

Prior coordination with your agency established the configuration and size for the area of potential effects (APE) for the five alternatives based on the proposed Trinity Parkway right-of-way (ROW), existing traffic patterns of the connecting arteries that feed the proposed alignments, and the areas surrounding those arteries and alignments. The APEs extend for a minimum of 100 ft. beyond the proposed ROW, and that of the connecting arteries. In some areas, the APE was extended to include entire neighborhoods, historic districts (i.e. Colonial Hills, Westend), and blocks that contain homogeneous resources, such as those with commercial warehouses (see attached).

The APE for each of these alternatives was determined in previous correspondence between our agencies dated March 16, 2000 (see-attached). Since that time, alternatives 3 and 4 were modified to include 3B, 3C and 4B. These modifications, however, have not substantively altered the size of the original APEs along alignments 3 and 4.

In February 2001, TxDOT completed a study entitled "Historic Resource Survey of the Building Displacements for the Trinity River Parkway." The purpose of this study was to identify listed and eligible properties directly located in the alignments of the five proposed alternatives that would result in "takings." This study was produced at the suggestion of TxDOT CRM staff to identify potential Section 4(f) properties along the alternatives.

In a letter dated June 5, 2002, TxDOT requested THC concurrence on determinations of eligibility for the 317 buildings 50 years of age or older (built prior to 1962) identified in the study. In a response dated July 2, 2002, your agency agreed with TxDOT's determinations that 6 properties targeted for displacement were eligible to the National Register of Historic Places (NRHP; see attached correspondence):

Site ID 113 -- City of Dallas Water Pumping Facility (c. 1925), 2255 Irving
(located in Alternative 5)

Site ID 172 -- Shipping/Warehouse Facility (1954), 1715 Market Center
(located in Alternative 2A)

Site ID 199 -- Shipping/Warehouse Facility, 1202 Industrial Blvd.
(located in Alternative 2A)

Site ID 287 -- Dallas ISD Storage Facility, formerly Procter and Gamble manufacturing facility (1920), 3701 Lamar
(located in Alternative 2B)

Site ID 375 -- Sportatorium (1950), 1000 Industrial Blvd.
(located in Alternative 2A, and now demolished)

Site ID 387-388 -- Oak Cliff Box Co. (1948-1950), 1212 Industrial Blvd.
(located in Alternative 2A)

While the study revealed that there were no NRHP-listed properties located directly in any of the alignments, there is one NRHP-listed bridge and several NRHP-eligible vehicular and railroad bridges that will be affected by this undertaking under alternatives 3, 4, and 5, which would locate the parkway along the sides of the earthen levees. These effects will occur in the area where the parkway goes under the bridges and at the exits and connections of the vehicular bridges with the new facility:

- Houston Street Viaduct (1910), NRHP-listed
- Continental Avenue Viaduct (1930), NRHP-eligible
- Corinth Street Viaduct (1935), NRHP-eligible
- Commerce Street Viaduct (1915), NRHP-eligible
- Union Pacific Railroad Bridge, NRHP-eligible
- AT&SF Railroad Truss and Trestle, NRHP-eligible
- M-K-T Railroad Bridge, NRHP-eligible

PROPOSED NEW SURVEYS:

While the 2001 displacements study was specifically conducted to address Section 4(f) issues (i.e. direct takings), in 2006 qualified TxDOT historians compiled a reconnaissance level survey for alternatives 3B and 4. These alternatives were selected for survey due to their favorable review in public meetings.

The purpose of the 2006 survey was to better assess effects on historic properties under Section 106, especially those identified as “indirect.” Of note are possible indirect effects on NRHP-listed historic districts, including Colonial Hills, Westend, Dealey Plaza and Lake Cliff. While there are no takings or demolitions in these districts, there may be potential traffic, noise, land use changes, and visual intrusions on the part of several alternatives in these areas. We note that the 2006 survey has not been presented to THC pending revisions that may be necessary based on comments by other resource agencies.

In order to improve the assessment of effects, TxDOT now proposes to enhance its survey efforts to selectively include historic-age properties in alternatives 2A, 2B and 5 that were not identified in the 2001 displacements study. Targeted to achieve a more even assessment of effects between the various alternatives under Section 106, this effort will include the following:

Reconnaissance survey of expanded APE at displaced NRHP-eligible properties:

TxDOT proposes to survey an area extending 150 feet beyond the parcel of the eligible properties targeted for displacement (site ID #s 113, 172, 199, 287 and 388-387).

This additional reconnaissance-level survey effort would provide information to support the planning of avoidance or minimization of direct impacts to these historic properties. In evaluating the completed surveys around these properties, this has already been accomplished for #s 113, 199, 387-388 (see attached).

Windshield survey to assess indirect effects:

In specific areas where a completed survey does not extend beyond the actual alignment, TxDOT staff proposes to identify historic-age properties within the established APE by conducting a windshield survey. Combined with research in the survey files of the City of Dallas, this effort would provide sufficient information to determine potential indirect effect to historic properties in these areas.

We request your comments with these enhanced survey proposals within 20 days of receiving this letter. We propose this methodology per your indication in our June 4th meeting that a lesser, more programmatic survey and mitigation effort would not adequately consider the presence and effects to historic properties in the APE of the various alternatives. If you need further information, please feel free to call me at 416-2626.

Sincerely,



Lisa Hart
Director
Cultural Resources Management Section
Environmental Affairs Division

Attachments

bcc. Dallas District, Dan Perge
Dallas District, Timothy Nesbitt
ENV/PM, Elvia Gonzalez
ENV/PM, Mario L. Sánchez

TEXAS HISTORICAL COMMISSION
real places telling real stories

June 23, 2009

Lisa Hart
Director, Cultural Resources Management Section
Environmental Affairs Division
Texas Department of Transportation
125 E. 11th Street
Austin, Texas 78701

*Re: Project review under Section 106 of the National Historic Preservation Act of 1966, Proposal for Additional Reconnaissance and Windshield Level Surveys (TxDOT/ FHWA)
TxDOT CSJ # 0918-45-121, 0918-45-122*

Dear Ms. Hart:

This letter serves as a comment on your proposal for additional survey for the proposed undertaking from the State Historic Preservation Officer (SHPO), the Executive Director of the Texas Historical Commission (THC).

We understand that your purpose in conducting additional survey is to comply with the Federal Highway Administration's (FHWA) requirement for more in-depth information about indirect effects before a preferred alternative is selected, based on their review of the Supplemental Draft Environmental Impact Statement for the project. Based on the information you have submitted, THC staff agrees that your proposal to conduct a windshield survey is sufficient to consider indirect effects to historic properties at this phase of project development, with the condition that additional reconnaissance survey may be necessary once the preferred alternative is selected. For large scale projects such as this one, a phased approach to the identification and evaluation of historic properties is appropriate. For the proposed reconnaissance survey of an expanded APE at displaced- NRHP properties, we suggest that the APE be 300 feet instead of 150, since it is likely that avoidance of these properties would result in the construction of new alignment. We also suggest that the 300 feet be measured from the proposed road alignment instead of the parcels of the eligible properties.

Thank you for seeking the comment of the Texas Historical Commission and for your participation in the federal review process. If you have any questions concerning this review or if we can be of further assistance, please contact Adrienne Campbell at 512/936-7403.

Sincerely,



Adrienne Vaughan Campbell
for: Mark Wolfe
Deputy State Historic Preservation Officer



RICK PERRY, GOVERNOR • JON T. HANSEN, CHAIRMAN • F. LAWRENCE OAKS, EXECUTIVE DIRECTOR
P.O. BOX 12276 • AUSTIN, TEXAS • 78711-2276 • P 512.463.6100 • F 512.475.4872 • TDD 1.800.735.2989 • www.thc.state.tx.us



Texas Department of Transportation

DEWITT C. GREER STATE HIGHWAY BLDG. • 125 E. 11TH STREET • AUSTIN, TEXAS 78701-2483 • (512) 463-8585

September 21, 2009

SECTION 106 -- IDENTIFICATION OF HISTORIC PROPERTIES: FORMER PROCTER AND GAMBLE MANUFACTURING PLANT INTENSIVE SURVEY

Dallas County
CSJ # 0918-45-121; 0918-45-122
Trinity River Parkway Corridor

Ms. Adrienne Campbell
History Division
Texas Historical Commission
P.O. Box 12276
Austin, Texas 78711



Dear Ms. Campbell:

In accordance with the First Amended Programmatic Agreement (PA) among TxDOT, FHWA, the Advisory Council on Historic Preservation, and the THC, this letter *continues* Section 106 consultation for the proposed Trinity River Parkway. We hereby submit the results of an intensive level historic resource survey for the above-referenced property.

PROJECT BACKGROUND:

The Trinity River Parkway is intended to solve transportation problems along the Trinity River Corridor in the city of Dallas, Dallas County, Texas. The project will also be integrated with plans for the Trinity River Floodway, a major open space resource in the center of Dallas.

Several alternatives have been identified to meet the goal of increased efficiency in the mobility of travelers in central Dallas. A customized area of potential effects (APE) for each of these alternatives was determined in previous correspondence between our agencies on March 16, 2000.

Subsequently, in a letter dated June 5, 2002, TxDOT submitted a survey of historic-age buildings to be displaced by the project due to their direct location within the proposed right-of-way. In a written response dated July 2, 2002, the THC determined six properties to be **eligible** to the National Register of historic Places (NRHP) (see attached). Since that time, one historic property, the Sportatorium at 1000 Industrial, has been demolished.

Another property, the former Procter and Gamble Manufacturing Plant at 3701 Lamar, was presented in the displacements survey and determined **eligible** under Criterion A, Community Development, and Criterion C, Architecture, both at the local level of significance. At that time, only the 1920-1947 portion of the complex located in

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its own separate legal plat was presented in the survey. Recently, in further investigations, TxDOT consultants uncovered that a warehouse facility (the River Warehouse) on the south side of the UPRR railroad tracks, located at 1301 McDonald Street in a separate legal parcel, was part of the complex after its initial 1960 construction date.

The enclosed intensive level survey is designed to establish the significance of all resources in relation to the Procter and Gamble complex as a whole; assess their integrity; identify their period of significance within an expanded historic context; and determine their eligibility to the NRHP (page 2). In completing the survey, TxDOT's technical expert conducted extensive archival research, performed title searches for each property, consulted historic aerials and plans from the City of Dallas' Building Inspection Office, and interviewed employees in the Archives Division of Procter and Gamble (page 3).

The attached survey is being forwarded at this time to streamline the Section 106 review process before the completion of a larger survey of historic-age properties that supplements the previously submitted displacements inventory.

INTENSIVE SURVEY FINDINGS:

In essence, the intensive survey reaffirms the previously identified portion of the facility, or main campus at 3701 Lamar, as **eligible** to the NRHP under Criterion A for its role in community and economic development, transportation, and industrial development in Dallas during the early to mid-20th century; and under Criterion C, Architecture, for its design/construction, both at the local level of significance (page 14). The period of significance extends 1920-1960, including the construction dates for all buildings at the plant contained within the historic period. This period coincides with the era of major development and construction of American manufacturing plants during the defense industry upsurge just before World War II, and also encompasses Procter and Gamble's contribution to the economy of the City of Dallas (page 3).

As a fully integrated facility, the main campus played an innovative, leading role in the transportation and industrial development of Dallas prior to 1960, as it grew and diversified steadily 1920-1947. Architecturally, the main campus incorporates modern industrial engineering traits through the use of reinforced concrete, multiple floors, and expansive windows, thereby exemplifying early 20th century industrial architecture (pages 8, 14). With a majority of its components retaining integrity, the 3701 Lamar campus retains its essential physical characteristics from the period of significance, thus conveying its associations with Procter and Gamble's earliest and evolving operations in Dallas (page 14). Illustrating the facility's evolution, for example, the main campus included loading docks for three dozen trucking lines to distribute products to nearby states, thereby reflecting the firm's response to increased highway construction in the US and the transition from rail to trucking (page 14).

The River Warehouse, constructed in three segments 1960-1967, brings no significant shift or technological advance in the community development, transportation, industrial development, or industrial architecture themes for which the main campus and its contributing structures are eligible to the NRHP. As a mere storage, common

architectural type with compromised integrity, the McDonald property reinforces continued, similar type of development at a larger scale for Procter and Gamble (page 19). It is not a representative example of progressive industrial warehouse architecture in Dallas (page 9).

In regard to the conveyor, the survey finds that it was added in 1965, beyond the period of significance, and that it is not an essential feature required to convey significance of the primary, or NRHP-eligible main campus (page 17).

CONCLUSION:

The intensive survey reveals the property at 3701 Lamar as **eligible** to the NRHP as the example that best conveys, comprehensively and substantively, the significance of the Procter and Gamble property under Criteria A and C. With a majority of its components still possessing integrity, the main complex is illustrative of an integrated, self-contained industrial system showcasing the interdependent cycles of manufacturing: production, storage, transportation and distribution (page 22-23).

The River Warehouse at 1301 McDonald is determined by the survey as **not eligible** to the NRHP, either as a contributing resource or individually. Architecturally undistinguished, lacking in historical significance and in the majority of its aspects of integrity, the property offers no technical advances in transportation, construction or industrial manufacturing in the evolution of Procter and Gamble when compared with the multi-dimensional main campus (page 23).

We request your written concurrence with these determinations of eligibility within 20 days of receiving this letter. If you need further information, please feel free to call me at 416-2770.

Sincerely,


Mario L. Sánchez, Ph.D., R.A.
Historical Architect
Environmental Affairs Division

Attachment

cc. Halff Associates, Jason Diamond
NTTA, Elizabeth Mow
FHWA, Theresa Claxton

CONCUR
by <u>Bob Wolfe</u>
for Mark Wolfe
Executive Director, THC
Date <u>10-9-09</u>
Track# _____



October 26, 2009

**SECTION 106 -- IDENTIFICATION OF HISTORIC PROPERTIES:
HISTORIC-AGE RESOURCE RECONNAISSANCE SURVEY REPORT (NON-
DISPLACED PROPERTIES)**

Dallas County; CSJ # 0918-45-121; 0918-45-122
Trinity River Parkway Corridor

Ms. Adrienne Campbell
History Division
Texas Historical Commission
P.O. Box 12276
Austin, Texas 78711

Dear Ms. Campbell:

In accordance with the First Amended Programmatic Agreement (PA) among TxDOT, FHWA, the Advisory Council on Historic Preservation, and the THC, this letter *continues* Section 106 consultation for the proposed Trinity River Parkway. We hereby submit the results of a historic resource reconnaissance survey report for the above-referenced project focusing on properties not targeted for displacement in the area of potential effects (APE).

PROJECT DESCRIPTION:

The North Texas Tollway Authority, the City of Dallas, and the Texas Department of Transportation (TxDOT) propose to construct a new controlled access tollway along the Trinity River Corridor in the city of Dallas, Dallas County, Texas. The project would construct a limited-access tolled facility from the IH 35E/SH 183 interchange (northern terminus) to the US 175/SH 310 interchange (southern terminus), a distance of approximately nine miles, in central Dallas. The facility, which is called the Trinity Parkway, would consist of six mixed-flow main lanes, local street interchanges, and freeway-to-freeway interchanges at the north terminus, south terminus, Woodall Rodgers Freeway, and IH 45.

Nine alternatives—eight build and one no-build—have been proposed. Five of the build alternatives were developed after a lengthy public participation process, and a sixth alternative was added in 2003 after additional public input and consultation with the Dallas City Council. Two additional alternatives were added based on agency consultation after the February 2005 publication of the Draft Environmental Impact Statement. These eight build alternatives were advanced for further analysis in a Supplemental Draft Environmental Impact Statement (SDEIS), published in February

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2009, because they met the project's purpose and need, avoided or minimized adverse environmental impacts, and/or were supported by local governments and various public and private groups. The following eight build alternatives were evaluated in the SDEIS:

- Alternative 2A Irving/Industrial Boulevard – Elevated
- Alternative 2B Irving/Industrial Boulevard – At Grade
- Alternative 3A Combined Parkway – Original
- Alternative 3B Combined Parkway – Modified
- Alternative 3C Combined Parkway – Further Modified
- Alternative 4A Split Parkway Riverside – Original
- Alternative 4B Split Parkway Riverside – Modified
- Alternative 5 Split Parkway – Landside

Four alternatives—2A, 2B, 3C and 4B—were selected for reconnaissance-level survey. Alternatives 3A, 3B, 4A, and 5 are not being advanced for further study due to concerns expressed by the US Army Corps of Engineers (USACE) regarding these alternatives.

The project area is located to the south and west of the Dallas central business district. The Dallas Floodway is the dominant land use feature in the central portion of the project area. This large, grassy open space is classified as flood control parkland and accounts for more than 50 percent of the land use in the project area. The remaining land use consists of mixed office, retail, industrial, commercial and residential uses.

PREVIOUS FIELD INVESTIGATIONS -- METHODOLOGIES AND FINDINGS:

The Trinity River Parkway project is part of TxDOT's long range plans to improve mobility in central Dallas and its adjacent areas. As part of these planning efforts, the THC was invited to attend a day-long cultural resource scoping meeting and tour of the project area on September 8, 1999 to identify areas and issues of concern for historic-age properties. From the findings in that tour, a customized APE for the varied alternatives was developed jointly by the two agencies and concurred with on March 16, 2000.

Based on the proposed alternative alignments, which traverse large areas of central Dallas, TxDOT initiated its field investigations focused on the identification historic-age properties targeted for displacements. In a January 6, 2000 meeting at the THC with TxDOT, the US Army Corps of Engineers (USACE), and project consultants for cultural resources, the concept of a displacements survey was presented as a more manageable approach for identification of historic-age properties in a densely built large-scale urban area.

In another meeting in Dallas with city and TxDOT staff on October 2, 2000, and with former THC executive director Larry Oaks regarding proposed projects along the floodway, the historic bridges crossing the Trinity were identified as the main issue of concern for historic preservation. The historic bridges were again identified as the issue of concern in the "Mayor's Summit" of October 11, 2001 with the participation of staff

from the City of Dallas, TxDOT, THC, USACE, North Texas Tollway Authority (NTTA), the Federal Highway Administration (FHWA) and the Environmental Protection Agency.

After a second on-site tour with staff from THC, TxDOT, NTTA, and the Dallas Landmark Commission on January 17, 2001, Norman Alston Architects produced the *Historic Resource Survey of the Building Displacements for the Trinity River Parkway* dated February 19, 2001. In a letter dated June 5, 2002, TxDOT submitted this survey of historic-age buildings to be displaced due to their direct location within the proposed project's right-of-way. In a written response dated July 2, 2002, the THC determined six of the 317 surveyed properties to be **eligible** to the National Register of Historic Places (NRHP). Since that time, one historic property, the Sportatorium at 1000 Industrial, has been demolished, and a parcel of the Procter and Gamble property at 1310 McDonald has been determined not eligible or contributing to the historic manufacturing plant at 3701 Lamar Street.

As part of its survey methodology, the Alston report identified two areas extending along Industrial Boulevard with the potential for two historic districts labeled "A" and "B." On May 9, 2002, TxDOT staff met with THC historian Bob Brinkman regarding these districts. On May 12th, Mr. Brinkman drove this area with maps prepared by TxDOT locating the streets and structures of the potential historic districts. Mr. Brinkman's findings in his July 2nd letter that there were no historic districts "due to significant alterations and loss of architectural integrity" were based on his fieldwork.

For your convenience, we include a photocopy of the Alston report in Appendix G of the current survey submitted with this correspondence. Letters illustrating previous coordination efforts on Trinity and other related projects are also included in the attached survey in Appendix E.

CURRENT FIELD INVESTIGATIONS -- METHODOLOGIES AND FINDINGS:

With this letter, the current, most recent survey is attached for your review. The October 2009 *Non-Archeological Historic-Age Resource Reconnaissance Survey Report* compiles a series of field investigations dating from 2005 to 2009 totaling 974 buildings and structures dating to 1965 on 822 locations for Alternatives 2A, 2B, 3C, and 4B. In contrast to the Alston survey, the current one identifies properties in the APEs *beyond* the proposed right-of-way which, by their location, are not targeted for displacement. Together with the Alston report, TxDOT and its consultants have identified over 1,000 locations containing historic-age resources within the APEs of the Trinity Parkway Project.

The current survey does not include historic-age properties previously coordinated with your agency for eligibility to the NRHP. As such, it does not include the properties surveyed by Alston in its overall tally and charts. Rather, these previously surveyed properties are acknowledged in the aerial maps in their own specific color and with the identification number assigned by Alston. Also due to previous coordination efforts, the survey does not include properties such as the Trinity River bridges and levees. The coordination of these properties is acknowledged in pages 16-18 of the

survey with a list of TxDOT/THC correspondence and findings. Table 4 on page 18 lists the 12 properties previously determined eligible. Together with the NRHP-listed properties in the APEs, and those previously determined eligible, a total of 18 historic sites are illustrated in the map on page 1 of Appendix B.

Historic-age properties in the attached survey are evaluated for NRHP eligibility under thematic contexts described in pages 23-39. A chart or inventory table is provided in Appendix A. For manageability, the large-scale APEs are divided into 13 geographic zones, each identified with their own two-letter prefix and with their resources numbered in the set of aerials maps in Appendix B. The lettered prefix distinguishes the newly surveyed properties from those in the Alston report. The historical and architectural character of each zone is discussed in pages 51-73, while Appendix C provides an individual inventory sheet for each property. *Please note that numbers are not entirely sequential, as several properties have been removed from the tally due to demolition.*

Evaluation of the currently surveyed sites yielded *three additional properties* that meet the criteria for eligibility to the National Register:

CA-2 – Salinas International Freight Co. (1957), 7138 Envoy Court, one-story, International Style-influenced tan brick building, under Criterion A, Commerce, and Criterion C, Architecture, both at the local level of significance, see page 52.

ES-1 – Atlas Metal Works Complex (1929), 818 Singleton Blvd., large complex of metal-clad buildings for industrial manufacturing with an Art Moderne front office building, under Criterion C, Architecture, at the local level of significance, see page 56.

IN-47 – Clifton Carpets (1954), 959 Dragon Street, Art Moderne-influenced one-story masonry structure with its original, stylistic company sign, under Criterion A, Commerce, and Criterion C, Architecture, both at the local level of significance, see page 64.

Listed below are the five properties identified in the Alston report that still stand from the six that were determined eligible by THC on July 2, 2002:

Site 113 (Alston #) – City of Dallas Water Pumping Facility (1929), 2255 Irving, under Criterion C, Architecture, at the local level of significance.

Site 172 – warehouse facility (1954), 1715 Market Center, under Criterion C, Architecture, at the local level of significance.

Site 199 – warehouse facility (1947), 1202 Industrial Blvd., under Criterion C, Architecture, at the local level of significance.

Site 287 – Procter and Gamble manufacturing facility, (1920-1947), 3701 Lamar, under Criterion A, Community and Economic Development, and Criterion C, Architecture, both at the local level of significance.

Sites 387-388 – Oak Cliff Box Co. (1948-1950), 1212 Industrial Blvd., under Criterion C, Architecture, at the local level of significance.

Together with the three properties determined eligible in the current survey, TxDOT has inventoried a total of eight NRHP-eligible properties, notwithstanding listed and previously determined eligible properties identified in the attached survey.

REAFFIRMATION OF NO ADDITIONAL HISTORIC DISTRICTS:

Four NRHP-listed historic districts exist in the APEs: West End, Dealey Plaza, Lake Cliff and Colonial Hills. These are located in the perimeter areas of the APEs, with the great majority of their resources distant from the proposed project alignments. The July 2, 2002 letter from THC concurred that “no potential historic districts eligible for listing on the NRHP exist in the APE.” TxDOT’s current survey *reaffirms* this previous determination, as it found most of the surveyed historic-age resources to be “part of incongruous groupings, either remnants of larger neighborhoods that are no longer cohesive entities, or the results of infill and partial demolition over the intervening decades since construction.”

Industrial Blvd. Potential Historic Districts “A” and “B” in Alston report:

While not duplicating the Alston survey, the current one identified numerous properties that are not targeted for displacement in the areas identified by Alston as potential districts “A” and “B.” In 2002, TxDOT and THC had found that these areas lack integrity, a finding reaffirmed with the newly inventoried properties in this vicinity.

For district “A,” please refer to properties IN-5 to IN-20 located in maps 4, 5, and 8. Blocked openings are shown in IN-9 and 16; new materials in IN-8; new fenestration in IN-10 and 21; incompatible urban infill in IN-12; and severe alterations in IN-15 and 17.

For district “B,” please refer to properties IN-20 to IN-60s located in maps 9 and 10. New doors and fenestration are shown in IN-22, 24, 25 and 54; altered or blocked openings in IN-32, 35, 37, 44, and 62; severe alterations in IN-26, 46, 53 and 61.

New metal overhead doors are shown throughout the entirety of both areas. The photographs clearly illustrate why both of these areas are not NRHP-eligible as districts due to significant and repeated alterations to the historic-age fabric.

Residential Areas Ancillary to the Colonial Hills Historic District:

Since some neighborhoods immediately to the west and east of the Colonial Hills Historic District share similar characteristics, TxDOT historians evaluated these groupings for NRHP eligibility as potential residential suburban historic districts. The houses in the perimeter areas of Colonial Hills comprise a mix of styles and construction dates with discontinued segments of unified building fabric interspersed by later infill. Individually, none of the residences rise to the level of NRHP eligibility. As a whole, the areas do not display the cohesiveness required for residential historic districts with numerous modifications affecting the integrity of the urban fabric. In essence, the current survey reaffirms the findings of the 1995 NRHP nomination’s boundary justification for

Colonial Hills as “one of Dallas’ largest intact and most illustrative examples of the classic streetcar suburban pattern,” and “one of the oldest such neighborhoods in South Dallas that still retains its original housing stock.”

Trinity River Reclamation Historic District proposed by the USACE:

On October 7, 2009, TxDOT received an exploratory study compiled by the USACE proposing the NRHP eligibility of the Dallas Trinity River Reclamation District. The proposal presents a 10,000-acre area comprised of the floodway, levees, realigned river channel, old river channel, pumping stations, sluices, pressure sewers, interceptors, and Industrial Blvd. commercial properties as contributing resources to a historic district that harks back to a vision outlined in the famed 1912 Kessler Plan for the city of Dallas. Careful examination of the USACE assertions in conjunction with previous and current fieldwork and research findings associated with the Trinity River Parkway project planning efforts have resulted in a reaffirmation of TxDOT’s determinations developed in consultation with the THC. Neither the levee system nor a potential historic district including the floodway and its reclaimed lands retain sufficient integrity of design, materials, workmanship, setting, feeling or association to convey significance under the criteria for evaluation set forth in the NRHP. The levees are compromised by their 1950s alterations, and partial re-alignment; the floodway is compromised by the presence of not NRHP eligible and non-historic age bridges and intrusive utility lines; the pumping stations are compromised by alterations to their architecture and the location of non-historic-age additions in their immediate vicinity; and the Industrial Blvd. area is compromised by the numerous unsympathetic alterations and intrusions to its commercial fabric.

PENDING DETERMINATION OF EFFECTS:

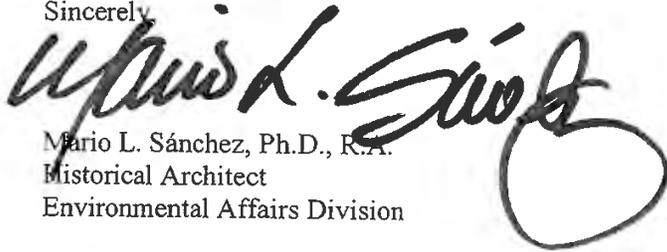
Effects to NRHP-listed and eligible historic properties from the proposed undertaking cannot yet be determined due to ongoing design decisions that may affect the proposed alignments. A phased approach to effects coordination with ensuing maps showing property right-of-way delineations will be conducted as information becomes available. Pursuant to Stipulation VII of the PA-TU and MOU between FHWA, SHPO, ACHP, and TxDOT, ENV historians will determine the effects of this project in the course of individual coordination with the Texas Historical Commission.

CONCLUSION:

The current survey reinforces previous determinations of NRHP eligibility by TxDOT with THC concurrence made in compliance with the Programmatic Agreement for Cultural Resources between our agencies. New determinations of eligibility in the current survey follow appropriate application of contextual research and consistent application of NRHP criteria required for compliance with Section 106 of the National Historic Preservation Act of 1966.

We hereby request your written concurrence with these determinations of eligibility within 20 days of receiving this letter. If you need further information, please feel free to call me at 416-2770.

Sincerely,

A handwritten signature in black ink, appearing to read "Mario L. Sánchez". The signature is written in a cursive style with a large, looping flourish at the end.

Mario L. Sánchez, Ph.D., R.A.
Historical Architect
Environmental Affairs Division

Attachments

- cc. Half Associates, Jason Diamond
- NTTA, Elizabeth Mow
- FHWA, Theresa Claxton
- USACE, Joseph Murphey
- HNTB, Kelly Johnson
- Preservation Dallas, Katherine Seale
- Dallas CLG, Jim Anderson
- Dallas Co. Historical Commission, Mike Lowenberg

TEXAS HISTORICAL COMMISSION
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November 13, 2009

Mario L. Sanchez
Historical Architect, Environmental Affairs
Texas Department of Transportation
125 E. 11th Street
Austin, Texas 78701

Re: Trinity River Parkway Corridor, Dallas, Dallas County (FHWA)
CSJ # 0918-45-121; 0918-45-122

Dear Dr. Sanchez:

Thank you for providing the information regarding the above-mentioned project. This letter serves as a comment on the plans from the State Historic Preservation Officer (SHPO), the Executive Director of the Texas Historical Commission (THC).

First, we wish to acknowledge a potential conflict between federal agencies which may both have jurisdiction over this project, the Federal Highways Administration (FHWA) and the US Army Corps of Engineers (Corps). At a Trinity Parkway Section 106 meeting on September 16, 2009, it was apparent that the Corps and FHWA/ TxDOT had the potential for conflicting determinations of eligibility for historic-age resources in the overlapping Areas of Potential Effects (APE) for the Trinity River Parkway and the Trinity River Reclamation Project.

When two federal agencies cannot resolve a disagreement regarding the eligibility of a historic-age resource, they must seek final resolution from the Keeper of the National Register of Historic Places (NRHP) at the National Park Service. However, at the request of FHWA and with the assent of the Corps, THC has agreed to consider a draft paper provided by the Corps in our review of the Trinity River Parkway Corridor, in an effort to avoid prolonged coordination with the Keeper of the NRHP and to prevent the environmental coordination for this project from further delay. Both agencies have indicated a concern over the potential for derailment of the environmental process, and therefore we have agreed to provide input regarding this potential dispute. However, as you know, our agency does not have the final word on eligibility, especially when there is a disagreement between federal agencies. If you do not agree with our findings or that of the Corps after they present their survey findings and cannot reach compromise, you should address the Keeper of the NRHP for a determination of eligibility and/or the Advisory Council on Historic Preservation for conflict resolution.

In addition, our office does not consider determinations of eligibility to be static, as they can change due to several factors including the provision of more information, change in



RICK PERRY, GOVERNOR • JON T. HANSEN, CHAIRMAN • MARK WOLFE, EXECUTIVE DIRECTOR

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historic integrity, and the passage of time allowing non-historic properties to reach historic age. Without having the survey data and completed report from the Corps for the Dallas Trinity River Reclamation Project, we cannot predict their determinations of eligibility or whether our agency will concur with or object to those determinations. We acknowledge that the Corps' position paper is a draft of a working document and that they are not seeking formal comment from THC at this time. Rather, the Corps has provided the document to TxDOT and FHWA to keep your agencies informed of potential findings of eligibility and effects that might differ from what previous surveys and coordination has identified. Nor can THC make inalterable decisions based on what is the equivalent of a research design, when all parties acknowledge the Corps has yet to undertake survey.

Within the constraints of the situation outlined above, THC staff has reviewed the material submitted with your coordination letter dated October 26, 2009. Based on the information you have provided, we cannot concur with all of your determinations of eligibility for listing in the NRHP at this time. Please find our comments, as follows:

Previously Identified Historic Resources in the APE

Resources in the APE of this project have been determined eligible for listing in the NRHP during coordination for other projects with overlapping APEs, as well as in previous coordination for this project. Therefore, our first comment is a reiteration that the following properties are NRHP eligible:

1. Corinth Street Viaduct over the Trinity River
2. Corinth Street Overpass
3. Commerce Street Viaduct
4. Continental Street Viaduct
5. Atchison, Topeka & Santa Fe Railroad Bridge over the Trinity River
6. Missouri, Kansas & Texas Railroad Bridge over the Trinity River
7. Union Pacific Railroad Bridge over the Trinity River (previously referred to as the Southern Pacific Railroad Bridge)
8. City and County Levee Operations Pump Station B (Baker)
9. 1715 Market Center Blvd.
10. 1202 Riverfront Blvd. (previously referred to as Industrial Blvd.)
11. 1212 Riverfront Blvd. (previously referred to as Industrial Blvd.)
12. 3701 South Lamar St.

We also acknowledge that the Sportatorium, previously identified as NRHP eligible in 2002, has been demolished.

1. Colonial Hill Historic District
2. Dealey Plaza Historic District
3. West End Historic District
4. Lake Cliff Historic District
5. Houston Street Viaduct

Newly Identified Historic Properties

Based on the findings of additional survey of the project area between 2006 and 2009, we concur with your determination that the following properties are individually eligible for NRHP listing:

1. 7138 Envoy Court (Salinas International Freight Office Building)
2. 818 Singleton Avenue (Atlas Metal Works)
3. 959 Dragon Street (Clifton Carpets)

Objections to Determinations of Eligibility for Individual Properties:

We object to your determination that the following resources are not eligible:

1. WT-3A- The US Army Corps of Engineers (Corps) has determined that Pavaho Pump Station is eligible for listing in the NRHP in anticipation of an upcoming federal undertaking for which they will be the lead agency. THC staff concurred with this determination of eligibility on November 12, 2009. Although the proposed project will have an adverse effect to the historic resource, at this time the station is considered eligible.
2. OC-5A (911 N. Lancaster Ave.)- This property is a good example of its type and we consider it eligible for listing in the NRHP under Criterion C, in the area of Architecture, at the local level of significance.
3. OC-8 (Oak Farms Dairy at 1114 N. Lancaster Ave.)- Despite expansion of the Oak Farms Dairy in the 1970s and 1990s, there is not sufficient information for us to concur that the 1954 core of this dairy operation is not eligible for listing in the NRHP under Criterion A, in the area of Agriculture, at the local level of significance. In order for THC staff to concur with a determination of eligibility for this complex, an intensive survey would be required.
4. MK-2 (1000 Forest Ave.)- There is not sufficient information provided to concur with a determination that this property is not eligible for listing in the NRHP. The loss of integrity appears to consist solely of windows covered with plywood and is not sufficient to remove the property from consideration. Individual resources appear to meet the criteria for eligibility under C, in the area of Architecture, at the local level of significance. Also, the dates appear to be incorrect for most of the property. The survey identifies MK-2C as a 1926 former "Godberson" residence, converted into offices; however, the 1922 Sanborn maps show it as the Guiberson Corporation. In order for THC staff to concur with a determination of eligibility for this complex, an intensive survey would be required.
5. 115 (2255 Irving Blvd.)- Some additional historical context for the Trinity Industrial District and the Industrial Properties Corporation was provided in the Corps' position paper that indicates this building requires reconsideration for eligibility under Criterion A. In addition, the 2001 survey estimated a construction date of this building as 1960, when it is probably a contemporary of the Baker Pump Station. We cannot concur that this building is not eligible for listing in the NRHP without an intensive survey.
6. ES-2 (2920 Sylvan Ave.), ES-4 (730 Singleton Blvd.), WS-95 (900 Singleton Blvd.)- There is not sufficient information to concur with a determination that these properties are not eligible for the NRHP individually, or as a district, at this time. These properties and at least one other outside the APE are grouped around

Atlas Metal Works and may share a similar historic context. We request more information, including better photographs, for these properties for our evaluation.

Objections to Determinations of Eligibility for Districts:

As you know, the draft paper by the Corps proposes that the Pegasus report did not properly consider the levees for eligibility for listing in the NRHP and that a more comprehensive context and survey would take into consideration the entire Floodway, and include the diversion channel, the open area between the levees, pumping plants, pressure sewers, sluices, and interceptors. The Corps has also suggested that the viaducts that cross the floodway and the reclamation area (old river channel, Industrial Boulevard alignment, industrial properties in the hydraulic fill area, and the triple underpass) should also be considered in any evaluation of eligibility. The contextual information in their draft paper and the supporting documentation, such as the American Society of Civil Engineer's (ASCE) civil engineering landmark designation, provide support for their position. After careful consideration of the draft paper provided by the Corps and TxDOT's rebuttal, THC staff acknowledges that we have previously concurred with your determination in 2004 that the levees are not eligible for listing. However, as Mr. Murphey points out, the changes made by the USACE have reached historic age since this time. Since this determination, THC and other agencies have given more consideration to historic-age infrastructure. An indication of this consideration is the THC's recent coordination in which staff concurred with determinations of eligibility for levees or independent determination that levee systems are eligible for listing. In 2006, the Forth Worth flood control system, built between 1910 and 1957, was determined eligible by the Corps under Criterion A for Community Planning and Development, at the local level of significance. This determination was made during Section 106 coordination for the Trinity River Vision project. In February 2009, THC objected to the determination that the Donna-to-Brownsville Levee and levee gate boxes are not eligible for listing and countered that the levee was eligible under Criterion A, in the areas of Agriculture and Politics/Government and Criterion C, in the area of Engineering, at the local level of significance. The 1950s changes made to the levees, originally constructed in the 1930s, were identified as having taken place during the period of significance and contributed to the significance of the levee. THC's letter to the consultant included the following statement:

Our reviewers understand that structures such as this earthen levee and its associated mechanical gate boxes are subject to periodic maintenance and replacement, but the integrity of this massive earthwork is quite high, as it is still in place and serving its original function as in its historic period of significance. Its local importance to the further growth and development of neighboring agricultural communities, struggling to control or reduce flood damage during those years, cannot be denied, and the levee continues to play this important role today. It is likely that the addition of earth to the levee profile or footprint, or the in-kind replacement of the levee gate box components, would not pose an adverse effect to the NRHP-eligible resources.

In March 2009, THC objected to a determination that the Lateral A levee in the Lateral A and Retama Dike Systems within the Lower Rio Grande Flood Control Project in Hidalgo County was not eligible for listing in the NRHP. THC staff suggested that the levee and its associated levee gate boxes were eligible under Criterion A for Agriculture at the local level of significance and that periodic minor changes due to maintenance and

replacement were necessary for the function of the levee and therefore did not significantly detract from the integrity of the resource.

Therefore, it is quite possible that with the presentation of additional information, such as the establishment of a period of significance and a survey evaluating the integrity of the components of the system, THC could change our previous concurrence that the levees are not eligible to concurrence with the determination that the levees are either individually eligible structures or are eligible as part of a larger Dallas Floodway Historic District that would include the elements listed above, including the viaducts. Although there is no context developed at this time to support a determination of eligibility at the state or national level, there is sufficient information to indicate that it is eligible at the local level of significance. We do not agree with your comments in the rebuttal document that the Dallas Floodway should be evaluated within a greater local context. Rather, we agree with the Corps' assertion that Dallas is the appropriate local context, and while other levee systems along the Trinity River in Kaufman and Tarrant County may be interesting to compare with Dallas, it is not necessary to do so to establish significance. Dallas is a major city and the context is community planning and development for the city, not a broader region. As a result, we find that the development of the floodway system is historically significant. However, the question your rebuttal document posed regarding change in levee alignment is worth investigation. Without survey data and analysis, the integrity system of the levee is unknown and staff cannot reach a conclusion regarding eligibility.

Regarding the consideration of a larger district including the reclaimed area with Industrial Boulevard and the surrounding industrial district, THC has previously considered TxDOT's survey of Industrial Boulevard, which included consideration of a larger historic industrial warehouse district. At the time we reviewed the survey in 2002, staff concurred with the determination that no district was present, although a few individual properties were eligible for listing. Due to the different types of resources and areas of significance, we find it more appropriate to consider the industrial area as a separate district and not as part of a greater Dallas Floodway Historic District.

Since 2002, coordination with THC by TxDOT, FHWA, NTTA, and consultants for NTTA for this undertaking has focused on previously-determined eligible properties that would be directly impacted. It has been seven years since the last coordination regarding eligibility of historic-age resources. We therefore revisited the methodology in the coordination from 2002 to ensure that buildings constructed before 1965 were considered, as they have been in the most recent survey. We observed that the methodology of the report included a 40-year date for consideration of historic properties (buildings built in 1961 or earlier). While the methodology included a consideration of buildings built after 1961 and several resources built after 1961 were surveyed, the methodology does not clearly illustrate to what extent buildings constructed after 1961 were evaluated for individual eligibility or for consideration as contributing resources within a historic district. As many of the buildings in Irving/ Riverfront Corridor date from the mid 1950s to the late 1960s, many of them have become "historic-age" in the years since our 2002 coordination.

There is not a strong context developed for mid-century industrial resources in Dallas to assist in evaluating eligibility of the resources in these surveys. Also, no consideration is given to the potential for larger mid-century industrial historic districts that may intersect with the APE. cursory examination of the strips of light industrial properties in the Irving/ Riverfront areas indicates that more than 50% of the buildings retain sufficient integrity to contribute to a district. Without more information on the history of the buildings and individuals associated with these areas, and without knowing of other large concentrations of mid-century commercial buildings in Dallas, it is difficult to assess their importance within the context of the city's commercial history. The industrial area seems to be significant locally and merits consideration as a district, and THC would like the buildings evaluated within a district context that extends beyond the APE. As the survey data has previously been collected within the APE and only up-to-date analysis of the survey is lacking, we therefore request TxDOT re-evaluate the properties in the Irving/ Riverfront Blvd. corridor, defining all buildings constructed before 1965 as historic-age and include comparative analysis with other mid-century industrial areas, such as the area south of the intersection of Stemmons and 183. Reconsideration of the properties from this survey should include analysis of potential for properties to be individually eligible, as well.

We concur with your determination that the remaining properties are not eligible for listing in the NRHP.

Thank you for your participation in this federal review process; we look forward to additional Section 106 coordination with your office for this undertaking in the near future. Our staff will be happy to meet with you at your convenience to discuss this letter and the additional information we have requested. If you have any questions concerning this review or if we can be of further assistance, please contact Adrienne Campbell at 512/936-7403.

Sincerely,

A handwritten signature in black ink that reads "Mark Wolfe". The signature is written in a cursive, flowing style.

Mark Wolfe
State Historic Preservation Officer



Texas Department of Transportation

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December 11, 2009

SECTION 106 – CONTINUATION OF CONSULTATION: RESULTS OF 12/9/09 MEETING BETWEEN TxDOT AND THC

Dallas County; CSJ # 0918-45-121; 0918-45-122
Trinity River Parkway Corridor

Ms. Adrienne Campbell
History Division
Texas Historical Commission
P.O. Box 12276
Austin, Texas 78711

Dear Ms. Campbell:

In accordance with the First Amended Programmatic Agreement (PA) among TxDOT, FHWA, the Advisory Council on Historic Preservation, and the THC, this letter *continues* Section 106 consultation for the proposed Trinity River Parkway. The purpose of this correspondence is to re-affirm the results of the meeting between TxDOT staff, its historical survey consultants, and yourself and Linda Henderson of the Texas Historical Commission on December 9, 2009.

We met on December 9th to discuss data gaps on certain historic-age properties identified in your letter to TxDOT dated November 13, 2009. In the course of the meeting, we agreed to the following:

Resource WT-3A (Pavaho Station):

The station was determined **eligible** by the US Corps of Engineers (USACE) with concurrence by the THC as part of a project that will adversely affect it due to the construction of a sizeable addition in its vicinity.

Resource OC-5A (911 N. Lancaster Ave.):

The apartment building is **eligible** to the National Register under Criterion C, Architecture, at the local level of significance, in light of similar multi-family property types listed in the register in the City of Dallas.

Resource OC-8 (Oak Farms Dairy at 1114 N. Lancaster Ave.):

Your request for an intensive survey of the property in the November 13th letter is rescinded and, given the evidence of numerous additions and alterations presented at the meeting, the property is **not eligible** to the National Register.

Resource MK-2 (1000 Forest Avenue):

Your November 13th request for an intensive survey was revised to one for additional

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information. TxDOT will provide additional research to determine eligibility under Criterion A including plats with property boundaries, change of ownership over time, and a brief history of the company and individuals associated with it.

Resource 115 (Alston survey; 2255 Irving Blvd.):

TxDOT will provide additional information, as opposed to an intensive survey, on this property to determine if it meets the criteria for National Register eligibility.

Resources ES-2 (2920 Sylvan Ave.); ES-4 (730 Singleton Blvd.); WS-95 (900 Singleton Blvd.):

TxDOT will provide additional information requested in your November 13th letter to determine the presence of a potential industrial historic district in the area around the Atlas Metal Works Corp. The information will be in the form of a windshield survey to denote possible district boundaries, photographs of streetscapes, and identification of historic contexts to evaluate district significance. The survey will include these three properties targeted by THC, plus others in the immediate area that could be part of the potential district.

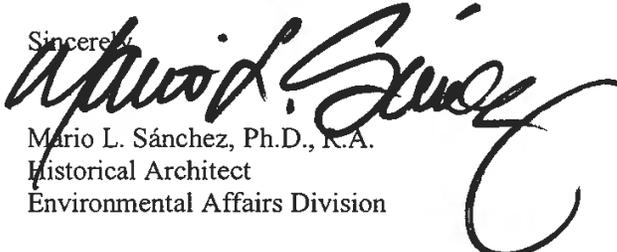
Greater Dallas Floodway Historic District:

Your comments on this district being proposed by the USACE are being taken into account by our agency, which in cooperation with the USACE, will be jointly looking at the eligibility of this resource and its multiple components.

CONCLUSION:

This letter relates and reaffirms the results of our December 9th meeting. If you do not respond within three days of receipt, we will determine that you concur with these results and the extent of information TxDOT is to provide to your agency. If you need to discuss any of these issues within the next three days, please feel free to call me at 416-2770.

Sincerely,



Mario L. Sánchez, Ph.D., R.A.
Historical Architect
Environmental Affairs Division

Attachments

cc. Halff Associates, Jason Diamond
NTTA, Elizabeth Mow
FHWA, Theresa Claxton
USACE, Joseph Murphey
HNTB, Kelly Johnson
Preservation Dallas, Katherine Seale
Dallas CLG, Jim Anderson
Dallas Co. Historical Commission, Mike Lowenberg
ECOMM Corp., Tom Eisenhour



Texas Department of Transportation

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4 January 2010

Section 106 and Antiquities Code Coordination

Dallas County

CSJ 0918-45-121

Antiquities Permit No. 4986

Trinity River Parkway from IH 35E/US 183 to SH 310/US 175

James E. Bruseth, Ph.D.

Department of Antiquities Protection

Texas Historical Commission

P.O. Box 12276

Austin, Texas 78711

Dear Dr. Bruseth:

RECEIVED
JAN 07 2010
TEXAS HISTORICAL COMMISSION

The proposed project will be undertaken with state and federal assistance. As required by the National Historic Preservation Act of 1966, as amended, and by Senate Bill 58, The Antiquities Code of Texas, and our Memorandum of Understanding with your agency, we are coordinating the proposed bridge replacement project with your office.

Please find attached a copy of *Archeological Testing of Site 41DL441 for the Trinity River Parkway in Dallas, Dallas County, Texas* by Lance K. Trask, Jesse Todd, and S. Alan Skinner of AR Consultants, Inc. In September 2008, AR Consultants excavated a number of backhoe trenches in an attempt to relocate a buried hearth found during their previous trenching in 2006 (Frederick et al. 2006). The 2006 backhoe trenching uncovered a hearth at 70 cm below the present ground surface in Backhoe Trench #34. No artifacts or additional features were discovered in the trench, or in Backhoe Trenches #35 and #36 which were dug in close proximity to #34. The hearth location was then designated as site 41DL441, and charcoal samples were taken from the feature and also "at a loci thought to be on the same horizontal surface" (Trask et al. 2009). Radiocarbon results from the two samples indicated dates of 170 ± 40 BP (AD 1780) and 230 ± 40 BP (AD 1720). Given the dated samples, AR Consultants anticipated uncovering a Protohistoric occupation.

The additional trenching in 2008 relocated the 41DL441 feature. Two backhoe trenches were excavated, with Backhoe Trench #1 locating disturbed soil from the 2006 trenching. A second backhoe trench exposed the top of the hearth which consisted of a thin ash lens approximately 5 mm thick along with burned clay. A shard of unheated clear glass was found in the ash. No trademarks were present on the glass fragment, so identification and date of manufacture was not possible. The glass fragment would suggest a twentieth century date, however. No artifacts associated with the Protohistoric period were identified. No other artifacts were identified with the feature. Four more trenches were dug close to the hearth feature to determine if other features were present, but no more features, artifacts or staining were found. The site size covers less than 5 meters.

Although the modern glass bottle fragment did not show evidence of heat damage, it was none the less uncovered mixed in the ash deposit. The feature may be an example of disturbed deposition.

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Given that no other glass fragments were found at the site, the shard may have been redeposited by the fluvial environment of the meander channel from some other location.

The hearth may represent an ephemeral feature used only once and for a brief interval if the hearth is associated with human occupation. Due to the lack of cultural materials, the ash and charcoal could have been caused by a lightning strike or other natural event. Without artifacts or more features, little evidence is available that could aid in development of research questions. Considering the floodway location and intrusive glass shard, the potential for adequate site integrity is low.

A TxDOT archeologist evaluated the potential for the proposed undertaking to affect archeological historic properties (36 CFR 800.16(l)) or State Archeological Landmarks (13 TAC 26.12) in the area of potential effects (APE). TxDOT recommends that site 41DL441 does not meet the criteria of significance for National Register of Historic Places eligibility or for nomination as a State Archeological Landmark as it lacks potential to contribute to further scientific research.

Pursuant to Stipulation VI of the PA-TU, TxDOT finds that the APE does not contain archeological historic properties (36 CFR 800.16(l)), and thus the proposed undertaking would not affect archeological historic properties. The project does not merit further field investigations. Project planning can also proceed, in compliance with 13 TAC 26.20(2) and 43 TAC 2.24(f)(1)(C) of the MOU. If unanticipated archeological deposits are encountered during construction, work in the immediate area will cease, and TxDOT archeological staff will be contacted to initiate post-review discovery procedures under the provisions of the PA and MOU.

We request your review and comment on the attached draft report. If you have any questions, please call Barbara Hickman at 512-416-2637 or e-mail bhickman@dot.state.tx.us.

Sincerely,



Barbara J Hickman, Staff Archeologist
Archeological Studies Program
Environmental Affairs Division

Attachment

cc w/o attachment: Dallas District, attn: Mr. Robert Hall, District Environmental Coordinator
ERG BJH ETS-Scan PA files

Mr. David Morgan
Half Associates, Inc.
8616 Northwest Plaza Drive
Dallas TX 75225

Concurrence by:



For Mark Wolfe, State Historic Preservation Officer

1-7-10

Date

AR Consultants, Inc.

Archaeological and Environmental Consulting
11020 Audelia Road, Suite C105, Dallas, Texas 75243-9085
Phone: (214) 368-0478
Fax: (214) 221-1519
E-mail: arcdigs@aol.com

**ARCHAEOLOGICAL TESTING OF
SITE 41DL441
FOR THE TRINITY PARKWAY IN DALLAS,
DALLAS COUNTY, TEXAS**

CSJ: 0918-45-121

Texas Antiquities Permit No. 4986

Lance K. Trask, BS
Jesse Todd, MS, MA
and
S. Alan Skinner, PhD

Prepared for:

**HALFF ASSOCIATES, INC.
and the
NORTH TEXAS TOLLWAY AUTHORITY**

Prepared by:

AR CONSULTANTS, INC.
11020 Audelia Road, Suite C105
Dallas, Texas 75243-9085

Cultural Resources Report 2008-83
December 1, 2008,
Revised July 27, 2009

HISTORIC BUILDINGS ARCHAEOLOGY NATURAL SCIENCES

DRAFT REPORT ACCEPTABLE
by <u><i>Mark Wolfe</i></u>
for Mark Wolfe Executive Director, THC
Date <u>1-7-10</u>
Track# _____



Texas Department of Transportation

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January 7, 2010

Mr. Jimmy Arterberry, THPO
Comanche Nation of Oklahoma
Comanche Nation Office of Historic Preservation
P.O. Box 908
Lawton, OK 73502

RE: CSJ: 0918-45-121; Trinity River Parkway, from IH 35E/US 183 to SH 310/US 175, New Location Bypass, Eligibility Testing for Site 41DL441; Dallas County, Dallas District

Dear Mr. Arterberry:

The above referenced transportation project is being considered for construction by the Federal Highway Administration (FHWA) and the Texas Department of Transportation (TxDOT). Environmental studies are in the process of being conducted for this project. The purpose of this letter is to contact you in order to initiate Section 106 consultation with your community pursuant to stipulations of the First Amended Programmatic Agreement among the Federal Highway Administration, the Texas Department of Transportation, the Texas State Historic Preservation Officer, and the Advisory Council on Historic Preservation Regarding the Implementation of Transportation Undertakings (PA-TU). The project is located in an area that is of interest to your Tribe.

The North Texas Tollway Authority (NTTA) proposes to construct an approximately 9-mile-long, limited-access toll facility from IH 35E / SH 183 interchange to the US 175 / SH 310 interchange in the City of Dallas. The proposed facility would be known as the Trinity Parkway and would initially consist of four to six mixed-flow main lanes, local street interchanges and freeway-to-freeway interchanges. The area of potential effects (APE) for the proposed project would be approximately 100 feet on either side of the Dallas Floodway levee toe (bottom of the slope) in those areas where proposed alternatives would be immediately on the inside or outside of the levees (distance of approximately 6 miles). The estimated right of way (ROW) required for the proposed Trinity Parkway ranges from 264 to 490 acres, depending upon the alternative. Potential excavation areas within the floodway that could serve as a source of borrow material for roadway embankment may disturb a total estimated surface area of up to 335 acres. The assumed average depths of excavations within the potential floodway borrow areas range from 3 to 18 feet below ground surface.

The APE is located in an area that is either heavily developed or disturbed by previous floodway and levee construction. Archeological investigation of the APE has been limited to the Dallas Floodway in areas where old meanders of the Trinity River are located and also the general area of potential borrow excavations. In 2006, under contract to NTTA, AR Consultants, Inc. (ARC) recorded a site (41DL441) at a depth of approximately 70 centimeters ((27.5 inches) (see Figure 1, page 2, in attached report). Site 41DL441 was identified as a hearth, and charcoal samples were taken from the feature and also "at a loci thought to be on the same horizontal surface" (see attached testing report). Radiocarbon results from the two samples indicated dates of 170 ± 40 BP (AD 1780) and 230 ± 40 BP (AD 1720). Given the dated samples, ARC anticipated uncovering a Protohistoric occupation.

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Re: Section 106 Consultation, National Historic Preservation Act;
Proposed Texas Department of Transportation Project, Dallas District
CSJ: 0918-45-121; Trinity River Parkway, from IH 35E/US 183 to SH 310/US 175,
New Location Bypass, Eligibility Testing for Site 41DL441; Dallas County

Please find attached a copy of *Archeological Testing of Site 41DL441 for the Trinity River Parkway in Dallas, Dallas County, Texas* by Lance K. Trask, Jesse Todd, and S. Alan Skinner of AR Consultants, Inc. In September 2008, AR Consultants excavated a number of backhoe trenches in an attempt to relocate a buried hearth found during their previous trenching in 2006. ARC relocated site 41DL441 and conducted archeological testing of the location to determine eligibility for listing in the National Register of Historic Places (NRHP). Two backhoe trenches were excavated, with Backhoe Trench #1 locating disturbed soil from the 2006 trenching. A second backhoe trench exposed the top of the hearth which consisted of a thin ash lens approximately 5 millimeters (0.2 inch) thick along with burned clay (see Figure 4, page 16, in attached report). A shard of unheated clear glass was found in the ash. No trademarks were present on the glass fragment, so identification and date of manufacture was not possible. The glass fragment would suggest a twentieth-century date, however. No artifacts associated with the Protohistoric period were identified. No other artifacts were identified with the feature. Four more trenches were dug close to the hearth feature to determine if other features were present, but no more features, artifacts or staining were found. The site size covers less than 5 meters (16.4 feet). Although the modern glass bottle fragment did not show evidence of heat damage, it was none the less uncovered mixed in the ash deposit. The feature may be an example of disturbed deposition. Given that no other glass fragments were found at the site, the shard may have been redeposited by the fluvial environment of the meander channel from some other location.

The hearth may represent an ephemeral feature used only once and for a brief interval if the hearth is associated with human occupation. Due to the lack of cultural materials, the ash and charcoal could have been caused by a lightning strike or other natural event. Without artifacts or more features, little evidence is available that could aid in development of research questions. Considering the floodway location and intrusive glass shard, the potential for adequate site integrity is low.

A TxDOT archeologist evaluated the potential for the proposed undertaking to affect archeological historic properties (36 CFR 800.16(l)) or State Archeological Landmarks (13 TAC 26.12) in the APE. Based on previous work done in the area (see Previous Investigations section of enclosed report, page 5), and results of the eligibility testing, TxDOT proposes the following findings and recommendations:

- 1) that site 41DL441 does not meet the criteria of significance for NRHP eligibility or for nomination as a State Archeological Landmark as it lacks potential to contribute to further scientific research
- 2) that pursuant to Stipulation VI of the PA-TU the APE does not contain and would therefore not affect archeological historic properties
- 3) that no further archeological investigation is warranted
- 4) that project planning can proceed, in compliance with 13 TAC 26.20(2) and 43 TAC 2.24(f)(1)(C) of the Memorandum of Understanding (MOU) with the Texas Historical Commission
- 5) if unanticipated archeological deposits are encountered during construction, work in the immediate area would cease and your Tribe would be contacted for further consultation

According to our Programmatic Agreement under Section 106 of the National Historic Preservation Act, we are writing to request your comments on historic properties of cultural or religious significance to your Tribe that may be affected by the proposed undertaking. Any comments you may have on the TxDOT recommendation should also be provided. Please provide your comments within 30 days of receipt of this letter. Any comments provided after that time will be addressed to the fullest extent possible. If you do not object that the proposed findings and recommendations are appropriate, please sign below to indicate your concurrence. In the event that further investigations by our office disclose the presence of archeological deposits, we will contact your Tribe to continue consultation.

Re: Section 106 Consultation, National Historic Preservation Act;
Proposed Texas Department of Transportation Project, Dallas District
CSJ: 0918-45-121; Trinity River Parkway, from IH 35E/US 183 to SH 310/US 175,
New Location Bypass, Eligibility Testing for Site 41DL441; Dallas County

Thank you for your attention to this matter. If you have questions, please contact Barbara Hickman (TxDOT Archeologist) at 512/416-2637 (email: bhickman@dot.state.tx.us) or me at 512/416-2631 (email: spletk@dot.state.tx.us). When replying to this correspondence, please ensure that the envelope address includes reference to the Archeological Studies Branch, Environmental Affairs Division.

Sincerely,



Scott Pletka, Ph.D., Supervisor
Archeological Studies Branch
Environmental Affairs Division

Concurrence by: _____

Date: _____

Attachments

cc w/attachments: Barbara Maley, Environmental Coordinator FHWA; Robert Hall, TxDOT Dallas District Environmental Coordinator; Margaret Canty, ENV-PM TxDOT; Barbara Hickman, ENV-ARCH TxDOT; ENV-ARCH Project File

cc w/o attachments: ETS Scan

The attached letter was sent to the following tribes on January 7, 2010

Mr. Jimmy Arterberry, THPO
Comanche Nation of Oklahoma
Comanche Nation Office of Historic Preservation
P.O. Box 908
Lawton, OK 73502

Ms. Jame Eskew,
c/o Kiowa Culture Preservation Authority
Kiowa Indian Tribe of Oklahoma
P.O. Box 885
Carnegie, OK 73015

Mr. Carleton Naiche-Palmer, President
c/o Holly Houghten
Mescalero Apache Tribe
P.O. Box 227
Mescalero, NM 88340

Mr. Don Patterson, President
Tonkawa Tribe of Indians of Oklahoma
1 Rush Buffalo Rd
Tonkawa, OK 74653

[sent by Email]



U.S. Department
of Transportation
**Federal Highway
Administration**

FEDERAL HIGHWAY ADMINISTRATION
300 EAST 8TH STREET, RM 826
AUSTIN, TEXAS 78701



**Texas
Department
of Transportation**
TEXAS DEPARTMENT OF TRANSPORTATION
125 E. 11th STREET
AUSTIN, TEXAS 78701-2483

January 7, 2010

Mr. Leslie Standing, President
Wichita and Affiliated Tribes
P.O. Box 729
Anadarko, OK 73005

RE: CSJ: 0918-45-121; Trinity River Parkway, from IH 35E/US 183 to SH 310/US 175, New Location Bypass, Eligibility Testing for Site 41DL441; Dallas County, Dallas District

Dear Mr. Standing:

The above referenced transportation project is being considered for construction by the Federal Highway Administration (FHWA) and the Texas Department of Transportation (TxDOT). Environmental studies are in the process of being conducted for this project. The purpose of this letter is to contact you in order to initiate Section 106 consultation with your community pursuant to stipulations of the First Amended Programmatic Agreement among the Federal Highway Administration, the Texas Department of Transportation, the Texas State Historic Preservation Officer, and the Advisory Council on Historic Preservation Regarding the Implementation of Transportation Undertakings (PA-TU). The project is located in an area that may be of interest to your Tribe.

The North Texas Tollway Authority (NTTA) proposes to construct an approximately 9-mile-long, limited-access toll facility from IH 35E / SH 183 interchange to the US 175 / SH 310 interchange in the City of Dallas. The proposed facility would be known as the Trinity Parkway and would initially consist of four to six mixed-flow main lanes, local street interchanges and freeway-to-freeway interchanges. The area of potential effects (APE) for the proposed project would be approximately 100 feet on either side of the Dallas Floodway levee toe (bottom of the slope) in those areas where proposed alternatives would be immediately on the inside or outside of the levees (distance of approximately 6 miles). The estimated right of way (ROW) required for the proposed Trinity Parkway ranges from 264 to 490 acres, depending upon the alternative. Potential excavation areas within the floodway that could serve as a source of borrow material for roadway embankment may disturb a total estimated surface area of up to 335 acres. The assumed average depths of excavations within the potential floodway borrow areas range from 3 to 18 feet below ground surface.

The APE is located in an area that is either heavily developed or disturbed by previous floodway and levee construction. Archeological investigation of the APE has been limited to the Dallas Floodway in areas where old meanders of the Trinity River are located and also the general area of potential borrow

MOVING THE
AMERICAN
ECONOMY



1 of 3

Re: Section 106 Consultation, National Historic Preservation Act;
Proposed Texas Department of Transportation Project, Dallas District
CSJ: 0918-45-121; Trinity River Parkway, from IH 35E/US 183 to SH 310/US 175,
New Location Bypass, Eligibility Testing for Site 41DL441; Dallas County

excavations. In 2006, under contract to NTTA, AR Consultants, Inc. (ARC) recorded a site (41DL441) at a depth of approximately 70 centimeters ((27.5 inches) (see Figure 1, page 2, in attached report). Site 41DL441 was identified as a hearth, and charcoal samples were taken from the feature and also "at a loci thought to be on the same horizontal surface" (see attached testing report). Radiocarbon results from the two samples indicated dates of 170 ± 40 BP (AD 1780) and 230 ± 40 BP (AD 1720). Given the dated samples, ARC anticipated uncovering a Protohistoric occupation.

Please find attached a copy of *Archeological Testing of Site 41DL441 for the Trinity River Parkway in Dallas, Dallas County, Texas* by Lance K. Trask, Jesse Todd, and S. Alan Skinner of AR Consultants, Inc. In September 2008, AR Consultants excavated a number of backhoe trenches in an attempt to relocate a buried hearth found during their previous trenching in 2006. ARC relocated site 41DL441 and conducted archeological testing of the location to determine eligibility for listing in the National Register of Historic Places (NRHP). Two backhoe trenches were excavated, with Backhoe Trench #1 locating disturbed soil from the 2006 trenching. A second backhoe trench exposed the top of the hearth which consisted of a thin ash lens approximately 5 millimeters (0.2 inch) thick along with burned clay (see Figure 4, page 16, in attached report). A shard of unheated clear glass was found in the ash. No trademarks were present on the glass fragment, so identification and date of manufacture was not possible. The glass fragment would suggest a twentieth-century date, however. No artifacts associated with the Protohistoric period were identified. No other artifacts were identified with the feature. Four more trenches were dug close to the hearth feature to determine if other features were present, but no more features, artifacts or staining were found. The site size covers less than 5 meters (16.4 feet). Although the modern glass bottle fragment did not show evidence of heat damage, it was none the less uncovered mixed in the ash deposit. The feature may be an example of disturbed deposition. Given that no other glass fragments were found at the site, the shard may have been redeposited by the fluvial environment of the meander channel from some other location.

The hearth may represent an ephemeral feature used only once and for a brief interval if the hearth is associated with human occupation. Due to the lack of cultural materials, the ash and charcoal could have been caused by a lightning strike or other natural event. Without artifacts or more features, little evidence is available that could aid in development of research questions. Considering the floodway location and intrusive glass shard, the potential for adequate site integrity is low.

A TxDOT archeologist evaluated the potential for the proposed undertaking to affect archeological historic properties (36 CFR 800.16(l)) or State Archeological Landmarks (13 TAC 26.12) in the APE. Based on previous work done in the area (see Previous Investigations section of enclosed report, page 5), and results of the eligibility testing, TxDOT proposes the following findings and recommendations:

- 1) that site 41DL441 does not meet the criteria of significance for NRHP eligibility or for nomination as a State Archeological Landmark as it lacks potential to contribute to further scientific research
- 2) that pursuant to Stipulation VI of the PA-TU the APE does not contain and would therefore not affect archeological historic properties
- 3) that no further archeological investigation is warranted
- 4) that project planning can proceed, in compliance with 13 TAC 26.20(2) and 43 TAC 2.24(f)(1)(C) of the Memorandum of Understanding (MOU) with the Texas Historical Commission
- 5) if unanticipated archeological deposits are encountered during construction, work in the immediate area would cease and your Tribe would be contacted for further consultation

According to our procedures and at the request of the FHWA under Section 106 of the National Historic Preservation Act, we are writing to request your comments on historic properties of cultural or religious significance to your Tribe that may be affected by the proposed undertaking. Any comments you may

Re: Section 106 Consultation, National Historic Preservation Act;
Proposed Texas Department of Transportation Project, Dallas District
CSJ: 0918-45-121; Trinity River Parkway, from IH 35E/US 183 to SH 310/US 175,
New Location Bypass, Eligibility Testing for Site 41DL441; Dallas County

have on the TxDOT recommendation should also be provided. Please provide your comments within 30 days of receipt of this letter. Any comments provided after that time will be addressed to the fullest extent possible. If you do not object that the proposed findings and recommendations are appropriate, please sign below to indicate your concurrence. In the event that further investigations by our office disclose the presence of archeological deposits, we will contact your Tribe to continue consultation.

Thank you for your attention to this matter. If you have questions, please contact Barbara Hickman (TxDOT Archeologist) at 512/416-2637 (email: bhickman@dot.state.tx.us) or me at 512/416-2631 (email: spletka@dot.state.tx.us). When replying to this correspondence, please ensure that the envelope address includes reference to the Archeological Studies Branch, Environmental Affairs Division.

Sincerely,



Scott Pletka, Ph.D., Supervisor
Archeological Studies Branch
Environmental Affairs Division

Concurrence by: _____

Date: _____

Attachments

cc w/attachments: Barbara Maley, Environmental Coordinator FHWA; Robert Hall, TxDOT Dallas District Environmental Coordinator; Margaret Canty, ENV-PM TxDOT; Barbara Hickman, ENV-ARCH TxDOT; ENV-ARCH Project File

cc w/o attachments: ETS Scan

The attached letter was sent to the following tribes on January 7, 2010 :

Mr. Leslie Standing, President
Wichita and Affiliated Tribes
P.O. Box 729
Anadarko, OK 73005



Texas Department of Transportation

DEWITT C. GREER STATE HIGHWAY BLDG. • 125 E. 11TH STREET • AUSTIN, TEXAS 78701-2483 • (512) 463-8585

June 16, 2010

SECTION 106 -- SUPPLEMENTAL AND INTENSIVE-LEVEL INVESTIGATIONS FOR SELECTED HISTORIC-AGE PROPERTIES AND POTENTIAL HISTORIC DISTRICTS

Dallas County; CSJs # 0918-45-121; 0918-45-122
Trinity River Parkway Corridor

Ms. Adrienne Campbell
History Division
Texas Historical Commission
P.O. Box 12276
Austin, Texas 78711

Dear Ms. Campbell:

In accordance with the First Amended Programmatic Agreement (PA) among TxDOT, FHWA, the Advisory Council on Historic Preservation, and the THC, this letter *continues* Section 106 consultation for the proposed Trinity River Parkway. We hereby submit the results of research efforts in two attached documents that provide you with the additional information requested in your letter of November 13, 2009.

THC REQUEST FOR ADDITIONAL INFORMATION:

In our letter of October 26, 2009, we submitted to your agency the *Non-Archeological Historic-Age Resource Reconnaissance Survey Report (October 2009)* for the Trinity Parkway Project. Your reply of November 13, 2009 identified a series of data gaps, which resulted in a meeting on December 9, 2009 between you and TxDOT historians; issuance of a clarification letter by TxDOT on December 11, 2009; and another meeting on January 26, 2010. As per our January meeting, we narrowed the data gaps as follows:

- 1). Provide further research on the presence of a potential industrial historic district in the immediate vicinity of the National Register of Historic Places-eligible (NRHP) Atlas Metal Works (ES-1). (Originally, THC had requested a larger area for the potential district, but this was reduced following additional research submitted by Ecomm Corp. revealing a lack of continuity of industrial historic fabric along Singleton Blvd.).
- 2). Provide further research on the not eligible Austin Bridge Company (WS-95), located near Atlas Metal Works, in the form of a windshield survey to determine the number of historic-age structures in the facility, as well as their integrity.

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- 3). Provide further research on the not eligible resources ES-2 and ES-4, both located in the area of the potential industrial district.
- 4). Provide additional research on the not eligible resource MK-2, the former Guiberson Corp., with information on change of ownership, property boundaries, and brief history of the company and individuals associated with it.
- 5). Provide further research on the not eligible Alston survey resource #115, historically associated with the Trinity Industrial District.
- 6). Complete intensive-level investigations on the historic resources that encompass the reclaimed lands along the Trinity River in the vicinity of downtown, Dallas. (That area was originally surveyed by Norman Alston and presented in his 2001 *Historic Resource Survey of the Building Displacements for the Trinity River Parkway*. It was determined by TxDOT as not eligible as a historic district in a TxDOT letter to THC dated June 5, 2002. THC concurred with that finding in its letter of July 2, 2002 based on “significant alterations and loss of architectural integrity” in the area).

**TRINITY INDUSTRIAL DISTRICT:
INTENSIVE-LEVEL INVESTIGATIONS IN SUPPORT OF PROPOSED
TRINITY PARKWAY PROJECT (FEB. 15, 2010)**

In accordance with the request expressed in your November 13th letter that “the industrial area seems to be significant locally and merits consideration as a district,” TxDOT undertook a new survey at the intensive level focused on the potential historic district along the reclaimed lands of the Trinity River. This is the area originally identified in the Alston report as potential historic districts “A” and “B.” TxDOT, with THC concurrence on July 2, 2002, determined the area to lack historical integrity, a finding that is *reaffirmed* in the attached intensive-level survey.

The recent intensive-level investigations center on the commercial area along the N. Industrial (Riverfront) Boulevard corridor. Specifically, this “Hydraulic Fill Area,” as it is known historically, was identified in the US Army Corps of Engineers’ (USACE) position paper of 2009 as part of a potential 10,000-acre Dallas Floodway Historic District. As per your November 13th letter, it was agreed that the “fill area” would be researched “as a separate district and not part of the greater Dallas Floodway Historic District.”

The intensive-level investigations undertaken in Dallas focused on primary source materials available at governmental agencies and private firms. Among the most important sources of information were:

- Dallas Public Works Department’s building permit records, plat maps, and historic aerials
- Dallas Central Library’s database of Dallas newspapers
- Crow Properties’ photo inventory of 200 area properties dating to 1966

Research confirmed that the area under evaluation lies within the Trinity Industrial District, which was historically developed primarily by Industrial Properties Corporation. Despite its name, the Trinity Industrial District has always contained

relatively few industrial concerns and was mostly comprised of small warehouses that were occupied by wholesalers and distributors.

The development of the area was based on a “three-part system” that relied on (a) two railroads; (b) a street network that enabled vehicular traffic to flow into Industrial Boulevard; (c) and warehouses that were used as conduit of goods being shipped or received by rail at their rear and trucks at their front (see pages 26-31). All three parts of the system “created favorable conditions that were essential to the area’s history, development, and ongoing operation,” (page 31).

Research also indicates that the targeted area for investigation was closely associated with John Stemmons, who served as President of Industrial Properties Corporation. Historically, this prominent Dallas businessman is largely credited as the person most responsible for the creation of the Trinity Industrial District.

To establish appropriate boundaries for the potential historic district, field investigators noted concentrations of resources and identified areas where new construction and/or empty lots disrupted the overall historic character of the area. Hence, boundaries for the intensive-level investigations were refined to fall within an area bounded by Payne Street on the south, Slocum and Dragon Street on the east, Oak Lawn Boulevard on the north, and East Levee on the west. The area is distinct from its surroundings and is clearly discernible as a concentration of one-story masonry warehouses that date from the late 1940s and early 1950s (see pages 16-19).

Using the Dallas County Appraisal District (DCAD) to conduct the investigations, historians downloaded information on all properties in the area being evaluated. Historians used a sampling of research data from building permit records and historic newspaper articles to confirm DCAD dates of construction. The historians noted that among all extant buildings within the area:

- 90.5 percent were built between 1947 and 1956.
- 4.0 percent were built between 1957 and 1966
- 5.5 percent were built between 1967 and 2009

The period of significance for the district begins in 1946, when the first plat was filed at the Dallas County Clerk’s Office. Despite the fact that 90% of the buildings in the area being researched were constructed by 1956, historians extended the period of significance to 1966 to reflect continued commercial activity to the closure of the historic period (see pages 32-33).

The area evaluated for NRHP eligibility as a historic district represents the historic-age core of the Trinity Industrial District. Research and analysis of the built environment indicates that the Trinity Industrial District possesses significance at the local level under Criterion A in the area of Community Planning and Development, and under Criterion B for association with John Stemmons. Although the area contains a high concentration of buildings constructed within a short time frame that share many common physical and architectural qualities, the area does not possess significance under

Criterion C, Design/Construction, because modifications to their design “takes away many of the qualities that distinguished the area’s historic character,” (see pages 41-42).

Based on the attached intensive survey, “the combined effect of changes to the buildings and the urban landscape as a whole have diminished [the area’s] ability to convey certain aspects of its significance,” (page 56). The findings indicate that,

“Very few buildings have remained unaltered, and most have had their original windows and doors replaced. For the most part, the replacements do not utilize the same materials or follow the same configuration as original units. The brick-surfaced exterior of most buildings have also been painted. One of the most significant changes has been the removal of the railroad tracks in recent years,” (page 40).

As a result, the potential district area no longer retains its Integrity of Design, Materials, Feeling, and Association, and lacks the ability to convey its significance under Criterion A or B. The intensive-level investigations conclude that the Trinity Industrial District is **not eligible** to the National Register of Historic Places. (For a detailed discussion of all aspects of integrity with numerous illustrations depicting significant and repeated modifications to the historic-age fabric throughout the district see pages 42-56).

Also per your request, and included in the intensive-level survey, TxDOT is providing additional research on the NRHP eligibility of Alston resource #115 at 2245 Irving Blvd. The 1948 one-part commercial block served as an equipment shop for the Industrial Properties Corporation, which was the entity responsible for the layout and development of much of the Trinity River reclaimed lands. As in 2002, the new research *reaffirms* TxDOT’s previous determination that this resource is **not eligible** to the NRHP, as it illustrates no significance under Criteria A, B, or C, and exhibits compromised historical integrity (see page 61).

SUPPLEMENTAL NON-ARCHEOLOGICAL HISTORIC-AGE RESOURCE SURVEY REPORT, TRINITY PARKWAY (JUNE 2010)

Information to close the remaining data gaps identified in your November 13, 2009 letter is also submitted in the attached *Supplemental Non-Archeological Historic-Age Resource Survey Report (June 2010)*. Field and archival research in this supplemental effort *reaffirm* the previous **not eligible** determinations for the targeted resources that were submitted by TxDOT in its October 26, 2009 letter to your agency. The attached supplemental survey concludes as follows:

Resources ES-2 and ES-4:

ES-2a is a small 1964 commercial/industrial facility located in front of the over-scaled 1965 ES-2b. ES-4 is mansard-roofed commercial establishment that appears to be associated with ES-3, a 1957 former gas station without its pumps, signage or awning. The supplemental survey finds that these resources are **not eligible** to the NRHP either individually or as part of an industrial district. They have no known associations to demonstrate significance under Criterion A or B, and they are not distinctive examples of architecture in the Dallas area under Criterion C.

Resource WS-95 (Austin Bridge Company):

This is the historic location of the Austin Bridge Company prior to its consolidation under the name of Austin Industries when it moved to new headquarters in Dallas. The buildings identified in the October 2009 report comprised the original manufacturing facility, as well as other later storage and manufacturing buildings. By the time of the supplemental survey, however, the original manufacturing facilities, as well as other structures were demolished. Figure 3 illustrates surviving historic-age buildings, along with locations of demolished historic-age structures. While the resource may have been significant under Criterion A for Transportation and Criterion C for Industrial Architecture, the property today retains little, if any, of its historical integrity. The demolition of its key buildings and the removal of company operations from the property greatly impact its integrity of location, setting, design, materials, workmanship, feeling and association. Since it is unable to convey its significance, it is determined as **not eligible** to the NRHP.

Resource MK-2 (Guiberson Corporation):

Additional research and visits to MK-2 reveal that historic-age structures were built during the Guiberson Corp. period 1926-1956 and the Dresser Corp. era 1956-1965. Sanborn map research shows that, although the former Guiberson residence and the majority of the machine shop are still intact, a number of historic-age buildings are demolished (see Figure 4). Other historic-age buildings, or parts thereof, are now linked or enveloped by newer post-1965 facilities (see figures 5, 6). The greatest expansion of the property is post-1965. The growth of the property is typical for an industrial facility under multiple ownership and use changes throughout its history.

The supplemental survey found that the Guiberson Corp. had a number of oil industry related patents and may have had an impact in the Dallas oil industry. It is thus significant under Criterion A, Industry, at the local level, for a period of significance 1926-1956 extending from the establishment of the corporation to the year of its sale to Dresser Industries. The property was also found to be significant under Criterion B for its association with company founder Samuel A. Guiberson Jr. during a period of significance 1934-1956, which coincides with the time of his residence in Dallas and ends with the purchase of the company by Dresser Industries in 1956.

In the area of Architecture, the property is significant under Criterion C beginning in 1926 at the time of initial construction and extending to 1965 to reflect continued industrial activity at the facility to the end of the historic period. Demonstrating only marginal architectural significance, the buildings at MK-2 do not represent a significant shift or technical advance in the field of industrial design when compared to the nearby, NRHP-eligible Procter and Gamble facility. Later additions and modifications to the complex also do not provide particularly innovative or strong examples of industrial building design.

The findings of the supplemental survey indicate that,

“Resource MK-2 lacks sufficient integrity to convey its significance. Under Criteria A and B, most of the current building stock was built after the periods of significance by Dresser Industries or by Faubion Associates, and it is not associated with the Guiberson Corporation or Samuel A. Guiberson, Jr. The

original buildings have been overshadowed by the new construction, which minimizes Guiberson's association with the property. These changes impact integrity of setting, materials, workmanship, feeling and association to a degree that the property is unable to convey its significance under Criteria A and B. Likewise, the same modifications impact the integrity of buildings and diminish their ability to convey significance under Criterion C, leading to a loss of integrity of setting, design, materials, and workmanship. Although change is part of the evolution of industrial properties, in this case the combined effects of these modern alterations significantly overshadow the historic building stock (see Figure 6)," (pages 23-24).

TxDOT thus *reaffirms* its original determination that Resource MK-2 is **not eligible** to the NRHP.

Industrial Historic District Evaluation in the vicinity of Atlas Metal Works:

The supplemental survey also researched the possibility of an industrial historic in the Sylvan-Singleton area of West Dallas in the vicinity of Atlas Metal Works and Austin Bridge Company. The survey found that West Dallas has undergone numerous changes in the past fifty years as "economic forces have closed many of the old industrial facilities and altered the landscape," (page 26). Since "other industrial properties have been appropriated and modified by other businesses, or altered with modern materials," (pages 25-26), the survey concludes that in the proposed district area, "Only Atlas Metal Works retains its original appearance of the identified historic-age industrial properties," (page 25). As such, the survey concludes there is no cohesive, recognizable industrial historic district present in the vicinity of Atlas Metal Works facility.

DALLAS FLOODWAY HISTORIC DISTRICT PROPOSED BY THE USACE:

In consultation with FHWA, TxDOT continues to assess the potential for a greater Dallas Floodway Historic District as it reviews a newly revised survey of that area dated May 3, 2010 undertaken by the USACE. Upon completion of their review, TxDOT and FHWA will share their findings with the Corps of Engineers.

PENDING DETERMINATION OF EFFECTS:

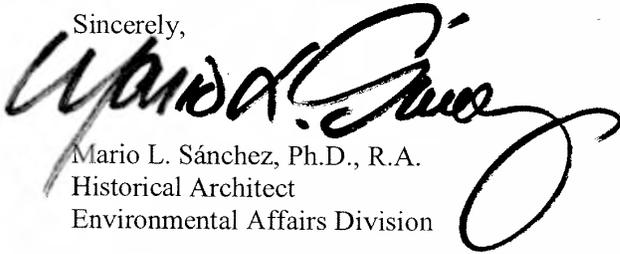
Effects to NRHP-listed and eligible historic properties from the proposed undertaking cannot yet be determined due to ongoing design decisions that may affect the proposed alignments. A phased approach to effects coordination with ensuing maps showing property right-of-way delineations will be conducted as information becomes available. Pursuant to Stipulation VII of the PA-TU and MOU between FHWA, SHPO, ACHP, and TxDOT, ENV historians will determine the effects of this project in the course of future individual coordination with the Texas Historical Commission.

CONCLUSION:

The current surveys reinforce the previous determinations submitted by TxDOT to THC demonstrating the lack of NRHP eligibility of the above-referenced properties. The determinations of eligibility in the two attached documents follow appropriate application of contextual research and consistent application of NRHP criteria required for compliance with Section 106 of the National Historic Preservation Act of 1966.

We hereby request your written concurrence with these determinations of eligibility within 20 days of receiving this letter. If you need further information, please feel free to call me at 416-2770.

Sincerely,



Mario L. Sánchez, Ph.D., R.A.
Historical Architect
Environmental Affairs Division

Attachments

<p>CONCUR HISTORIC-AGE PROPERTIES AND POTENTIAL DISTRICTS NOT ELIGIBLE TO THE NATIONAL REGISTER OF HISTORIC PLACES Trinity River Parkway Corridor CSJs # 0918-45-121; 0918-45-122</p>	
NAME: _____	DATE: _____
for: Mark Wolfe State Historic Preservation Officer	

- cc. Halff Associates, Jason Diamond
NTTA, Elizabeth Mow
FHWA, Theresa Claxton
USACE, Joseph Murphey
HNTB, Kelly Johnson
Preservation Dallas, Katherine Seale
Dallas CLG, Mark Doty
Dallas Co. Historical Commission, Mike Lowenberg

TEXAS HISTORICAL COMMISSION
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July 6, 2010

Mario L. Sanchez
Historical Architect, Environmental Affairs
Texas Department of Transportation
125 E. 11th Street
Austin, Texas 78701

*Re: Project review under Section 106 of the National Historic Preservation Act of 1966,
Trinity River Parkway Corridor, Supplemental and Intensive-level Investigations for
Selected Historic-age Properties and Potential Historic Districts, Dallas County (FHWA)
TxDOT CSJ # 0918-45-121; 0918-45-122*

Dear Dr. Sanchez:

Thank you for the information provided in your June 16, 2010 letter and for the additional information provided in our meeting today, July 6, 2010. This letter serves as a comment from the State Historic Preservation Officer (SHPO), the Executive Director of the Texas Historical Commission (THC).

Based on the information you have provided, we concur with your determination that, with the exception of the Guiberson property (MK-2), the resources for which you have provided additional information are not eligible for listing in the National Register of Historic Places, either individually or as a historic district.

In the case of the Guiberson property, we find that the buildings identified as MK-2C and MK-2D still retain sufficient integrity to convey the significance of the property under criteria B, in the area of Industry, at the local level of significance, for its association with Samuel A. Guiberson. We concur that because buildings from the period of significance were lost and several buildings on the parcel post-date the period of significance, resulting in loss of integrity of setting, materials, and design, the complex itself no longer retains sufficient integrity for listing. However, these two buildings (the office and the machine shop) were the most prominent and important of the buildings from the period of significance (1934 to 1956). They have undergone relatively minor physical changes and are still recognizable. Attached, please find an appropriate National Register boundary for the resources.



RICK PERRY, GOVERNOR • JON T. HANSEN, CHAIRMAN • MARK WOLFE, EXECUTIVE DIRECTOR

P.O. BOX 12276 • AUSTIN, TEXAS • 78711-2276 • P 512.463.6100 • F 512.475.4872 • TDD 1.800.735.2989 • www.thc.state.tx.us

We look forward to working with your office regarding evaluation of effect. If you have any questions concerning this review or if we can be of further assistance, please contact Adrienne Campbell at 512/936-7403.

Sincerely,

A handwritten signature in black ink that reads "Mark Wolfe". The signature is written in a cursive, slightly slanted style.

Mark Wolfe
State Historic Preservation Officer



Texas Department of Transportation

DEWITT C. GREER STATE HIGHWAY BLDG. • 125 E. 11TH STREET • AUSTIN, TEXAS 78701-2483 • (512) 463-8585

May 31, 2011

SECTION 106 -- DETERMINATION OF EFFECTS: Submittal of Section 106 Effects Report, Trinity Parkway (March 2011)

Dallas County; CSJ # 0918-45-121; 0918-45-122
Trinity River Parkway Corridor

Ms. Adrienne Campbell
History Division
Texas Historical Commission
P.O. Box 12276
Austin, Texas 78711

Dear Ms. Campbell:

In accordance with 36 CFR 800 and the Programmatic Agreement (PA) between the Texas Department of Transportation (TxDOT), the Federal Highway Administration (FHWA), the Advisory Council on Historic Preservation, and the Texas Historical Commission (THC), this letter *continues* Section 106 consultation for the above referenced project. We hereby present the results of a report on the effects of the proposed undertaking on properties listed and eligible to the National Register of Historic Places (NRHP).

Previous Coordination:

NRHP eligibility coordination with the THC began in the year 2000 and continued through 2010 in numerous exchanges of correspondence involving both reconnaissance and intensive-level surveys, and supplemental reports. During that lengthy and detailed coordination process, TxDOT identified over 1000 properties dating to 1966. Of that total, THC concurred that 24 properties (including historic districts) are listed or eligible to the NRHP in the area of potential effects (APE) of the four build alternatives advanced for further study (see Table 1, page 13):

Landside alignments:

- 2A – Irving/Industrial Blvd. – Elevated
- 2B – Irving/Industrial Blvd. – At Grade

Dallas Floodway alignments:

- 3C – Combined Parkway – Further Modified
- 4B – Split Parkway Riverside -- Modified

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Section 106 Effects Report, Trinity Parkway (March 2011):

In the attached report, the 24 listed and eligible properties are analyzed for potential adverse effects from project activities. The document concludes that alternatives 2A, 2B, and 4B would have **no adverse effect** on historic properties, and that alternative 3C would have an **adverse effect on one** of the eligible resources (see Table 2, page 40).

Please note that this report does not include the Dallas Floodway as a historic resource. A determination of NRHP eligibility for the floodway is still pending per continued assessment by TxDOT and FHWA. Once the eligibility assessment is complete, Section 106 coordination for this resource will be initiated with THC.

Determination of Effects:

The Criteria of Effect and the Criteria of Adverse Effect were applied to the listed and eligible resources within the APE. TxDOT historians have determined that the proposed undertaking will have no adverse effect on the historical associations and architectural features of 23 of the 24 properties identified as historically significant.

As part of the project development process, design refinements for the four build alternatives were examined so as to avoid or minimize harm to historic properties where these alternatives were likely to cause adverse effects. Discussion of these design refinements, or avoidance alternative options, involved staff from FHWA, TxDOT, NTTA and the THC. These options were evaluated in light of engineering constraints, potential safety and operational problems, costs, and potential social and environmental impacts that may result from avoidance of the historic property. The preservation of the historic property was also weighed against the magnitude of potential harm to other resources that would be caused by its avoidance.

On December 15, 2009 a meeting was specifically held for the purpose of identifying viable project routes that avoided adverse effects to various listed and eligible properties. In that meeting, the above-referenced agencies, including THC, concurred with avoidance alternatives for Colonial Hills Historic District, Houston and Corinth viaducts, AT & SF trestle, the former Procter and Gamble facility, 1715 Market, and 1202 and 1212 Industrial Blvd. Due to the difficulty of inserting code-compliant ramps beneath the north approaches of Continental Viaduct, avoidance alternatives for that resource remained under further study following that meeting.

The concurred with avoidance alternatives form the basis for this effects coordination phase of the Section 106 consultation process. Comments about effects for all historic properties are provided below, while avoidance alternatives for selected resources are graphically presented in the report's schematic plans in Appendix A.

NRHP listed or eligible properties	NRHP Status	Distance from Proposed Facility to Hist. Property	Construction Activities	Comments
------------------------------------	-------------	---	-------------------------	----------

No. 1 – Colonial Hills Historic District	Listed A, C	2A – 1,000' 2B – 1,000' 3C – 1,000' 4B – 1,000'	All alts. essentially at same distant location from the 130.5-acre district.	No adverse effect for all alts.; no impact to seven aspects of integrity. Shifts to the west of original 2A, 2B alignments allow greater distance from the hist. district; eliminates proximity impacts (noise, visual); reduces displacements; decreases impacts to parks, woodlands and wetlands.
No. 2 – Houston St. Viaduct	Listed A, C	2A – above 2B – below 3C – below 4B – below	Elevated 2A crosses viaduct 35 ft. above. At-grade 2B avoids structure. 3C partially fills supports for 3 out of 51 brg. arches for pkwy. main lanes. 4B partially fills supports for 4 out of 51 brg. arches for pkwy. main lanes. 3C, 4B flood sep. wall not phys. connected to brg.	No adverse effect for all alts.; no impact to majority of seven aspects of integrity. All alts. avoid direct connectors to 6,562 ft. long viaduct precluding removal of hist. railing. Proposed new Jefferson bridge (reinstated into MTP regional plan) will provide connectors to pkwy. For 2A, 2B the setting in north portion of the viaduct already altered with crossings beneath by Industrial Blvd. and IH 35E. For 3C, 4B minimal number of arches affected by main lanes.
No. 3 – Union Pacific RR Bridge	Eligible C	2A – 1,000' 2B – 1,000' 3C – below 4B – below	3C partially fills 4 out of 31 brg. piers for pkwy. main lanes. 4B partially fills 6 out of 31 brg. piers for pkwy. main lanes. 3C, 4B flood sep. wall not phys. connected to brg.	No adverse effect for all alts.; no impact to seven aspects of integrity of the 2,050 ft. long structure.
No. 4 – Corinth St. Viaduct	Eligible A, C	2A – 300' 2B – 300' 3C – below 4B – below	3C partially fills 12 out of 88 brg. piers for pkwy. main lanes. 4B partially fills 12 out of 88 brg. piers for pkwy. main lanes. 3C, 4B flood sep. wall not phys. connected to brg.	No adverse effect for all alts.; no impact to seven aspects of integrity. Original schematic design for 3C, 4B with direct connector ramps to the 3,400 ft. long bridge revised to a new T-intersection located 1,000 ft. from viaduct linking Industrial Blvd. and pkwy. and avoiding removal of hist. railing.
No. 5 – AT&SF RR Bridge	Eligible C	2A – 400' 2B – 400' 3C – on ROW 4B – on ROW	2A, 2B on landside of levee. 3C, 4B remove 350' of unused north trestle out of a total of 2,800 ft. long historic structure.	2A, 2B avoid impacts. Alts. 3C, 4B's trestle removal required to build code-compliant T-intersection to avoid Corinth Viaduct. <u>Without</u> trestle removal, pkwy. main lanes and T-intersection ramps would hover above DART brg. and trestle at 70' height with non-compliant slope. This segment of trestle also targeted for removal by USACE's levee improvement project. No adverse effect for all alts.; segment to be removed minimally impacts integrity of materials, design or workmanship of the 2,800 ft. long trestle.
No. 6 – MKT RR Bridge	Eligible C	2A – 600' 2B – 600' 3C – 600' 4B – 600'	All alternatives are located on the landside of USACE's proposed levee extension for this portion of the floodway.	No adverse effect for all alts.; no impact to seven aspects of integrity. Distance and proposed levee extension shields 205 ft. long bridge from the new pkwy. facility.

<p>No. 7 – Continental Ave. Viaduct</p>	<p>Eligible A, C</p>	<p>2A – 800’ 2B – 800’ 3C – below 4B – below</p>	<p>3C partially fills 10 out of 74 brg. piers for pkwy. main lanes. At-grade connector ramps to Woodall Rogers fwy. require removal of 195’ of hist. brg. approach spans (9.2% of total structure length). 4B partially fills 12 out of 74 brg. piers for pkwy. main lanes. 3C, 4B flood sep. wall not phys. connected to brg.</p>	<p>2A, 2B no adverse effect, as they do not impact viaduct due to distance. 4B no adverse effect as one connector ramp from Woodall fwy. would go over and another under the 2,130 ft. long viaduct. 3C adverse effect; removal of 195 ft. of the bridge’s north approach spans for connector ramps to Woodall Rogers fwy. negatively affects seven aspects of integrity, <i>although floodway portion of bridge remains visually intact</i>. 3C’s removal of approach spans <u>avoids</u> 24 business displacements and impacts to 36 parcels in the commercial warehouse area. Proposed at-grade connector ramps to Woodall Rogers cannot go under exist. approach spans due to narrow, unsafe dimensions; proposed ramps cannot go over the historic approach spans because they would also need to go over suspension bridge, which is not feasible.</p>
<p>No. 8 – Commerce St. Viaduct</p>	<p>Eligible A, C</p>	<p>2A – 600’ 2B – 600’ 3C – below 4B – below</p>	<p>3C partially fills 12 out of 66 brg. piers for pkwy. main lanes. 4B partially fills 12 out of 66 brg. piers for pkwy. main lanes. 3C, 4B flood sep. wall not phys. connected to brg.</p>	<p>No adverse effect for all alts.; no impact to seven aspects of integrity of the 1,980 ft. long structure.</p>
<p>No. 9 – Pump Station B (Baker)</p>	<p>Eligible C</p>	<p>2A – 434’ 2B – 226’ 3C – 135’ 4B – 135’</p>	<p>2A, 2B on landside of levee; 3C, 4B in floodway.</p>	<p>No adverse effect for all alts.; no impact to seven aspects of integrity. 3C and 4B’s location within floodway shields the station from pkwy. with levee as visual barrier. Large existing sump area separates station from alts. 2A, 2B.</p>
<p>No. 10 – Former Procter & Gamble Manuf. Facility (3701 S. Lamar St.)</p>	<p>Eligible A, C</p>	<p>2A – Adjacent 2B – Adjacent 3C – Adjacent 4B – Adjacent</p>	<p>All alts. located to SE; 2A, 2B -- 0.22 acre new ROW 3C, 4B -- 1.98 acre new ROW.</p>	<p>No contributing features of the 27-acre site impacted by minimal new ROW taken from its parking lot. Revised SE location for all alts. allows for more distance from Col. Hills Hist. Distr. and no takings of commercial properties along Lamar St.; reduces original taking from property from 4.7 (2A) and 9.8 (2B) acres to negligible 0.22 (2A, 2B), and 1.98 (3C, 4B) acres; reduces impacts to wetlands and park. No adverse effect for all alts.; no impact to seven aspects of integrity. Transportation already traditional part of its setting with exist. adjacent RR line.</p>

No. 11 – 1715 Market Center Blvd.	Eligible C	2A – 15-22' 2B – 18' 3C – 1,600' 4B – 1,600'	2A, 2B turn Industrial Blvd. into elevated, at grade structure, respectively	No adverse effect for all alts.; no impact to seven aspects of integrity. This formerly displaced property now preserved due to shift in alt. 2A. Proposed ROW further distant than current ROW; 76,500 s.f. property retains on-street parking and at grade relationship with pavement; reduces displacements from 49 to 22; Industrial Blvd. already highly trafficked artery.
No. 12 – 1202 Industrial Blvd.	Eligible C	2A – 33' 2B – 32' 3C – 1,580' 4B – 1,580'	2A, 2B turn Industrial Blvd. into elevated, at grade structure, respectively	No adverse effect for all alts.; no impact to seven aspects of integrity. This formerly displaced property now preserved due to shift in alt. 2A. Proposed ROW further distant than current ROW, which retains on-street parking and at grade relationship with pavement; reduces displacements from 49 to 22; Industrial Blvd. already highly trafficked artery. Current ROW almost at building face of the 22,500 s.f. property.
No. 14 – Oak Cliff Box Co. (1212 Industrial Blvd.)	Eligible C	2A – 15' 2B – 30' 3C – 900' 4B – 900'	2A, 2B turn Industrial Blvd. into elevated, at grade structure, respectively. Revised 2A alignment shifted to rear of property.	No adverse effect for all alts.; no impact to seven aspects of integrity. This formerly displaced property now preserved due to alt. 2A shift to rear of 10,000 s.f. resource, which also reduces displacements from 11 to 2; Industrial Blvd. already highly trafficked artery. For Alt. 2B, proposed ROW further distant than current ROW.
No. 15 – Corinth St. Underpass	Eligible A, C	2A – 800' 2B – 800' 3C – 1,600' 4B – 1,600'	All alts. at substantial distance from resource.	No adverse effect for all alts.; no impact to seven aspects of integrity.
No. 16 – Dealey Plaza Historic District	Listed A, B, C (NHL)	2A – 700' 2B – 700' 3C – 2,400' 4B – 2,400'	All alts. at substantial distance from resource.	No adverse effect for all alts.; no impact to seven aspects of integrity. 15-acre district separated from proposed facility by Stemmons Fwy. (IH 35E).
No. 17 – West End Historic District	Listed A, C	2A – 930' 2B – 930' 3C – 2,400' 4B – 2,400'	All alts. at substantial distance from resource.	No adverse effect for all alts.; no impact to seven aspects of integrity. 67.5-acre district separated from proposed facility by Stemmons Fwy. (IH 35E).
No. 18 – Lake Cliff Historic District	Listed A, C	2A – 4,000' 2B – 3,500' 3C – 3,000' 4B – 1,000'	All alts. at substantial distance from resource.	No adverse effect for all alts.; no impact to seven aspects of integrity. 75-acre district buffered from closest alt. 4B by distance and levee.
CA-2 – Salinas International Freight Bldg. (7138 Envoy Court)	Eligible A, C	2A – 290' 2B – 290' 3C – 3,000' 4B – 3,000'	All alts. at substantial distance from resource.	No adverse effect for all alts.; no impact to seven aspects of integrity of the 12,000 s.f. resource.
DT-8 – Terminal Annex Bldg. (207 S. Houston St.)	Eligible C	2A – 1,300' 2B – 1,300' 3C – 2,400' 4B – 2,400'	All alts. at substantial distance from resource.	No adverse effect for all alts.; no impact to seven aspects of integrity. 237,500 s.f. resource separated from proposed facility by Stemmons Fwy. (IH 35E).

ES-1 – Atlas Metal Works (818 Singleton Blvd.)	Eligible C	2A – 6,000' 2B – 6,000' 3C – 4,500' 4B – 3,000'	All alts. at substantial distance from resource.	No adverse effect for all alts.; no impact to seven aspects of integrity. 25,250 s.f. facility buffered from closest alt. 4B by distance and levee.
IN-47 – Clifton Carpets (959 Dragon)	Eligible A, C	2A – 180' 2B – 180' 3C – 1,600' 4B – 1,600'	2A and 2B one block south of resource.	No adverse effect for all alts.; no impact to seven aspects of integrity. 18,400 s.f. resource at sufficient distance from all alts.
MK-2 – Faubion Industries (1000 Forest Ave.)	Eligible B	2A – 160' 2B – 150' 3C – 800' 4B – 800'	2A, 2B located within the not eligible portion of the property.	No adverse effect for all alts.; no impact to majority of aspects of integrity. Setting of the 98,100 s.f. facility already compromised due to non-contributing additions to the property. Revised 2A, 2B avoidance alts. take less acreage from Procter and Gamble and more distant from Col. Hills than original designs. 3C, 4B's distance and proposed USACE levee extension shields eligible buildings from the new facility; avoids property entirely.
OC-5A – Apartment Bldg. (911 N. Lancaster).	Eligible C	2A – 3,700' 2B – 3,200' 3C – 2,500' 4B – 1,200'	All alts. at substantial distance from resource.	No adverse effect for all alts.; no impact to seven aspects of integrity. 4,000 s.f. resource buffered from closest alt. 4B by distance and levee.
WT-3A – Pavaho Pump Station (613 Canada Drive)+	Eligible A, C	2A – 4,200' 2B – 4,000' 3C – 2,200' 4B – 200'	All alts. at substantial distance from resource.	No adverse effect for all alts.; no impact to seven aspects of integrity. 850 s.f. resource buffered from closest alt. 4B by levee.

Effects to Historic Bridges:

Separate from the report, we attach a sectional view of Commerce Street Viaduct that illustrates the parkway's main lane embankments requiring the partial fill of bridge supports in floodway alternatives where those lanes cross beneath the historic viaducts. This sectional view should be considered as typical and applicable to other floodway structures, including the Houston, Continental and Corinth viaducts, as well as the UPRR bridge. Also shown in this view is the 18 ft. tall flood separation wall on the river side of the main lanes.

In general, for all bridges, the proposed partial fill of supports affects only a small number of piers when compared to the large number of supports found in these lengthy structures. On average, after introduction of the main lane embankments, 18 ft. of the 25-30 ft. tall piers of the Corinth, UPRR and Commerce bridges will remain exposed, 14.5 ft. of the 16.5 ft. tall piers of the Houston Viaduct will be exposed, while 30 ft. of the 40 ft. tall piers of the Continental Viaduct will be exposed. The proposed flood separation wall shown in the view is detached from the viaduct supports, thereby minimizing its impact upon the structures. Based on this proposed design, we have determined that the partial fill of supports and the flood separation wall will have **no adverse effect** upon the historic bridges of the Dallas Floodway.

Effects/Mitigation to Continental Viaduct:

We have determined that alternative 3C will have an **adverse effect** upon the north approach spans of the Continental Viaduct, which are slated for removal to insert code-compliant, at-grade connector ramps from Woodall Rogers Freeway to the Trinity Parkway. Please note that this design option was developed to reduce safety concerns, minimize displacements, and provide a balanced approach to the competing needs of multiple transportation and utility projects along the floodway. In order to minimize harm, the new Continental approach spans to be constructed as part of the Trinity Parkway project will be built in a compatible but distinct design from that of the historic bridge. The proposed C-411 open rail is compatible with the existing rail of the viaduct, and it is the same type as that of the future Hampton Road Bridge over the floodway.

In the attached report, a sectional view of the proposed Continental Viaduct approach spans (fold-out page 25) shows the wider spans required for the Woodall Rogers ramps to be located under the structure. Also for your review, we include a separate view of the viaduct illustrating the detached flood separation wall.

Indirect Effects:

Project induced development is not expected to adversely alter the physical appearance of historic properties in the vicinity of Trinity Parkway. No specific reasonably foreseeable development that may be caused by the Trinity Parkway would likely impact Continental Avenue Viaduct. The proposed future rehabilitation of that viaduct is not an effect caused by Trinity Parkway, but rather facilitated by the Woodall Rogers Freeway extension that is currently under construction.

Cumulative Impacts:

The rehabilitation of the Continental Viaduct as a pedestrian-only structure by the City of Dallas is a reasonably foreseeable action impacting this historic structure. Such an action should not adversely affect the viaduct, as its conversion to pedestrian use is compatible with established preservation standards. The rehabilitation would also not contribute to any cumulative impacts on other historic bridges along the Dallas Floodway.

Other reasonably foreseeable actions impacting historic bridges in the Dallas Floodway include the following:

a). City of Dallas Balanced Vision Plan/USACE Dallas Floodway Improvements:
Approved by the City of Dallas in 2004, but still under evaluation, the plan calls for the removal of portions of the AT & SF trestle to improve hydraulic conveyance in the floodway.

b). Dallas Floodway Extension:
The project will lengthen the Dallas Floodway downriver with the addition of new levees south of the existing levees, thereby extending flood protection to another segment of the city. The project will not affect any of the floodway's historic bridges.

c). Santa Fe Trestle Hike and Bike Trail

A TxDOT enhancement project sponsored by the City of Dallas, the 1.2-mile trail crosses the floodway along the decommissioned AT & SF bridge. In previous consultation with THC, removal of a small portion of the trestle for the trail was determined to have no adverse effect.

Conclusion:

Landside alignments 2A and 2B, and floodway alignment 4B will have **no adverse effect** upon historic properties. Floodway alignment 3C impacts the north approach spans of the historic Continental Viaduct to introduce at-grade connector ramps, but considerably reduces the number of commercial displacements and does not call for design exceptions. While the proposed alignment constitutes an **adverse effect** to the viaduct, *the main portion of the historic bridge traversing the floodway between the levees will remain intact as a visual unit that will still be able to convey its historic and engineering significance.* The new approach spans will be built in a compatible but distinct design from that of the historic structure.

We request your written concurrence with these determinations of effects within 20 days of receiving this letter. If you have any questions or comments concerning these determinations, please call me at 416-2770.

Sincerely,



Mario L. Sanchez, Ph.D., R.A.
Historical Architect
Environmental Affairs Division

Attachments

- cc. Halff Associates, Jason Diamond
- NTTA, Elizabeth Mow
- FHWA, Theresa Claxton
- USACE, Joseph Murphey
- HNTB, Kelly Johnson
- Preservation Dallas, Katherine Seale
- Dallas CLG, Mark Doty
- Dallas Co. Historical Commission, Ann Spillman
- Ecomm Corp., Tom Eisenhour
- Ecomm Corp., Kurt Korfmacher

TEXAS HISTORICAL COMMISSION
real places telling real stories

June 7, 2011

Mario L. Sanchez
Historical Architect, Environmental Affairs
Texas Department of Transportation
125 E. 11th Street
Austin, Texas 78701

*Re: Project review under Section 106 of the National Historic Preservation Act of 1966, Trinity River Parkway Corridor Effects Report, Dallas County (FHWA)
TxDOT CSJ # 0918-45-121; 0918-45-122*

Dear Dr. Sanchez:

Thank you for the information provided in your May 31, 2011 letter. This letter serves as a comment from the State Historic Preservation Officer (SHPO), the Executive Director of the Texas Historical Commission (THC).

Based on the information you have provided, we concur with your determination that the project poses an adverse effect to the Continental Viaduct (resource #7) and that the project poses no adverse effect to the following resources:

Resource #1, Colonial Hills Historic District
Resource #2, Houston Street Viaduct
Resource #3, Union Pacific Railroad Bridge
Resource #4, Corinth Street Viaduct
Resource #6, MKT Railroad Bridge
Resource #8, Commerce Street Viaduct
Resource #9, Pump Station B (Baker)
Resource #10, Former Procter & Gamble Manufacturing Facility (3701 S. Lamar Street)
Resource #15, Corinth Street Underpass
Resource #16, Dealey Plaza Historic District
Resource #17, West End Historic District
Resource #18, Lake Cliff Historic District
Resource CA-2, Salinas International Freight Building (7138 Envoy Court)
Resource DT-8, Terminal Annex Building (207 S. Houston Street)
Resource ES-1, Atlas Metal Works (818 Singleton Boulevard)
Resource IN-47, Clifton Carpets (959 Dragon)
Resource MK-2, Faubion Industries (1000 Forest Avenue)
Resource OC-5A, Apartment Building (911 N. Lancaster)
Resource WT-3A, Pavaho Pump Station (613 Canada Drive)



RICK PERRY, GOVERNOR • JON T. HANSEN, CHAIRMAN • MARK WOLFE, EXECUTIVE DIRECTOR

P.O. BOX 12276 • AUSTIN, TEXAS • 78711-2276 • P 512.463.6100 • F 512.475.4872 • TDD 1.800.735.2989 • www.thc.state.tx.us

Your letter states that the December 15, 2009 meeting discussed the avoidance of adverse effects to historic properties and the agencies agreed upon the avoidance alternatives. We note that the December 2009 meeting was specifically focused on the avoidance of direct effects to historic properties, not indirect or cumulative effects. Based on the information that you have provided in this report, we are concerned regarding the potential for indirect visual effects for resources 11, 12, and 14 and we request additional information before we can concur with your determination of effects to those properties.

For resources 11 (1715 Market Center Boulevard) and 12 (1202 N. Riverfront Boulevard), we note that alternative 2A will be elevated in close proximity to these buildings. We certainly appreciate the efforts to minimize adverse effects by moving the right-of-way away from these buildings for this alternative and allowing the retention of a parking lane. However, while the figures in the report clearly identify the distance of the proposed right-of-way and elevated section of roadway from the buildings, the heights of the buildings and roadway are not included. These heights, as well as additional graphic information (renderings that include the resources and the elevated roadway, for example) will assist THC staff in evaluating your determination.

Likewise, resource 14 (Oak Cliff Box Company Office Building) has an elevated alternative 2A in proximity to the rear (north) elevation of the building. Again, the figure in the report indicates distance between the proposed elevated roadway, right-of-way and building face, but does not indicate building or roadway height. Neither do we have photographs of this elevation of the building, as it faces away from the current roadway; we therefore request photos of the north façade of the building. Alternative 2B remains along the current alignment of Riverfront Boulevard and while it has no direct effect to resource 14, it requires the removal of several buildings in the immediate vicinity of the National Register-eligible resource. As such, it changes the character of the setting of the building and isolates it along a large roadway corridor. We suggest that alternative 2B therefore poses an indirect, visual adverse effect to resource 14 (adverse effect to setting, feeling and association).

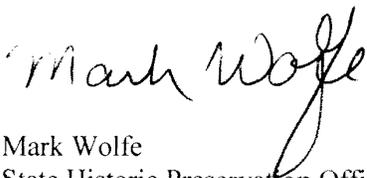
We are also concerned regarding direct effects to resource 5, the Atchison, Topeka, and Santa Fe (AT&SF) Bridge, and request additional information for that resource, as alternatives 3C and 4B require the removal of 350 feet of wood trestle of the bridge. In our December 15, 2009 meeting, THC staff indicated that a determination of no adverse effect “may be possible ...but a very strong argument may be needed.” A strong argument in favor of a “no adverse effect” determination should include more supporting information. The report does not include any description or documentation of the section of trestle that will need to be removed (for example, does this section include the concrete firewall?). As suggested in the December 2009 meeting, one argument for “no adverse effect” argument might be that there is an existing “disconnect in the relationship between the resource and the space surrounding it due to the influence of the newer DART bridge located adjacent and parallel to the AT&SF railroad bridge.” Another suggestion from that meeting was that a comparison between the overall length of the bridge and the portion that will be removed might identify that a relatively small percentage of the trestle is proposed for removal (at the time of the December 2009 meeting, 200 feet, rather than 350, were proposed for removal).

Regarding proposed mitigation for the Continental Viaduct, we suggest that the approach spans include a railing that replicates the existing railing, instead of using the C-411; because this bridge will be converted to pedestrian use, there is no obligation to install a crash-tested roadway railing. We also request THC review of the design of the replacement spans as it develops. Because the adverse effect to this resource may result in its loss of eligibility for listing in the National Register, particularly considering the cumulative effects to this resource, we also suggest that appropriate mitigation would include the preparation of a National Register nomination for one of the other historic bridges in the project corridor, such as the Corinth Street viaduct.

In anticipation of mitigation for indirect adverse effects to some of the other resources, the preparation of National Register nominations may also be an appropriate mitigation alternative. TxDOT has undertaken similar mitigation on other projects with indirect adverse effects and it would not be outside the scope of this project to do the same.

Thank you for your consideration of our comments. We look forward to working with your office regarding the resolution of our concerns and completion of coordination. If you have any questions concerning this review or if we can be of further assistance, please contact Adrienne Campbell at 512/936-7403. We understand that you are also seeking comments from the Historic Bridge Foundation regarding adverse effects to Continental Viaduct. Please consider the comments of your consulting party in this process and inform us as you work with that organization. In addition, we understand that Federal Highway Administration (FHWA) has yet to rule on whether this project is exempt from Section 4(f) review under Section 405(b) of the Supplemental Appropriations Act of 2010. Please inform us when that agency makes a formal determination. Finally, we understand that FHWA will conduct Section 106 coordination with THC regarding determinations of eligibility and effect for the Dallas Floodway; we look forward to working with that agency once they initiate coordination.

Sincerely,

A handwritten signature in black ink that reads "Mark Wolfe". The signature is written in a cursive style with a long, sweeping tail on the letter "e".

Mark Wolfe
State Historic Preservation Officer



Texas Department of Transportation

DEWITT C. GREER STATE HIGHWAY BLDG. • 125 E. 11TH STREET • AUSTIN, TEXAS 78701-2483 • (512) 463-8585

July 12, 2011

SECTION 106 – CONTINUATION OF DETERMINATION OF EFFECTS

Dallas County: CSJs # 0918-45-121; 0918-45-122
Trinity River Parkway Corridor

RECEIVED

JUL 12 2011

History Programs Division

Ms. Adrienne Campbell
History Division
Texas Historical Commission
P.O. Box 12276
Austin, Texas 78711

Dear Ms. Campbell:

In accordance with 36 CFR 800 and the Programmatic Agreement (PA) between the Texas Department of Transportation (TxDOT), the Federal Highway Administration (FHWA), the Advisory Council on Historic Preservation, and the Texas Historical Commission (THC), this letter *continues* Section 106 consultation for the above referenced project. We hereby present the additional information requested in your letter dated June 7, 2011 to clarify potential effects to several properties determined eligible to the National Register of Historic Places (NRHP).

Recent THC/TxDOT correspondence:

In its May 31, 2011 correspondence addressed to THC, TxDOT determined that landside alignments 2A and 2B and floodway alignment 4B of the Trinity Parkway project would have no adverse effect to historic properties. Floodway alignment 3C was determined to have an adverse effect on the Continental Avenue Viaduct due to the removal of its north approach spans required to incorporate parkway connector ramps.

Also in that correspondence, we noted that a determination of the Dallas Floodway as a historic resource remains outstanding per continued evaluation by TxDOT and FHWA. Once the eligibility assessment is complete, Section 106 coordination for this resource will be initiated with THC.

Your response on June 7, 2011 determined that the project would have no adverse effect upon 19 of the 24 NRHP eligible and listed properties identified by TxDOT for possible effects from project activities. Additional information was requested by THC for the five remaining resources: 1715 Market Center; 1202 and 1212 Industrial Blvd.; AT & ST Trestle; and the Continental Avenue Viaduct.

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Additional Information Requested by THC:

Below please find the requested information for the five outstanding properties:

Resources #11 and #12 – 1715 Market Center Blvd. and 1202 Industrial Blvd.:

To better evaluate our determination of no adverse effect upon these two resources for alternative 2A, we provide a new image that more accurately represents the proposed elevated facility. The image illustrates the approx. 20' height of the one-story warehouse buildings at 1715 Market Center and 1202 Industrial as they relate to the elevated highway structure, which is approx. 22'-24' in height. Please note the horizontal distance between the faces of the buildings and the elevated highway, which allows room for a grassy median and parking lane along the sides of Industrial Blvd. located below the proposed facility.

As observed in our May 31st letter, the revised shift in alternative 2A from its original alignment reduced the number of displacements from 49 to 22, and preserved resources 11 and 12. We also include the sectional views from our previous correspondence as a reminder that the horizontal distance between the elevated alternative and the buildings' faces is greater under 2A than it is from the current Industrial Blvd. We reiterate our determination that the project will have **no adverse effect** upon these two resources.

Resource #14 – 1212 Industrial Blvd.:

In regard to your request for a rear photo of the building to better evaluate effects under elevated alternative 2A, we attach photos showing a dense grove of trees, which obscures what is likely to be a utilitarian elevation that is not contributing to the resource's eligibility under Criterion C. Due to a design shift that relocates 2A to the rear of the property, the historic building is preserved from demolition; displacements are reduced from 11 to 2; and the alignment is placed along a non-distinctive sump, or drainage area clearly depicted in the photos and sectional view.

In regard to your observation about a possible indirect visual adverse effect to this resource as a result of at-grade alternative 2B, we note that the property's current ad hoc setting is not a defining or contributing feature to its NRHP eligibility under Criterion C. As shown in the attached aerial photos, that setting is characterized by large vacant lots, parking lots and non-descript warehouse-type resources. To its rear and side, the large Alford warehouse complex was recently demolished leaving an enormous vacant lot that contributes to a significant change in setting (see before and after photos).

Alternative 2B will not impact the resource's integrity of location, design, materials, or workmanship, which are paramount for Criterion C eligibility, and it will not be detrimental to the building's integrity of setting, feeling or association. The grouping of structures adjacent to the resource on its side of the road will remain under alternative 2B, providing it with similar surroundings to the current ones. As such, we reiterate our determination that the project will have **no adverse effect** upon this resource.

Resource #5 – AT & SF Railroad Trestle:

As stated in our letter of May 31st, 350 ft., or 12% of the 2,800 ft.-long trestle, will be removed under alternatives 3C and 4B to incorporate the Trinity Parkway travel lanes. No portion of the trestle would be removed for alternatives 2A and 2B. The segment slated for removal is limited to the wooden portion, and not the steel or concrete segments.

Without the proposed removal, the Trinity main lanes would hover over the trestle and the adjacent DART bridge at a height of 70 ft. with a non-compliant slope. Also, without removal of the trestle segment, the proposed T-intersection for avoidance of the Corinth Street Viaduct would not be code compliant.

Attached please find a set of photos showing the location of where the trestle is to be removed and the Trinity main lanes are to be constructed. Given the small amount of structure to be removed, we determine that the proposed work will have **no adverse effect** on the integrity of the trestle's materials, design, workmanship or location, and that the trestle's abandonment, and its immediate proximity to the much taller DART bridge considerably detract from its setting and feeling.

Resource #7 – Continental Ave. Viaduct:

TxDOT acknowledges its previous determination that alternative 3C will have an **adverse effect** with the removal of the 195 ft.-long north approach spans of the 2,130 ft.-long Continental Viaduct. The removal is necessary to insert code-compliant, at-grade connector ramps extending from Woodall Rogers Freeway to the Trinity Parkway. This design option was developed to reduce safety concerns, minimize displacements, and provide a balanced approach to the competing needs of multiple transportation and utility projects along the floodway without design exceptions. While the proposed 3C alignment constitutes an adverse effect to the viaduct, *the main portion of the historic bridge traversing the floodway between the levees will remain intact as a visual unit that will still be able to convey its historic and engineering significance.*

Since replacement and re-design of the north approach spans would only be required *if* 3C is selected as the preferred alternative, TxDOT hereby *defers* development of mitigation plans for this adverse effect until an alternative is selected during the Final Environmental Impact Statement phase of the project. *At that time, if alternative 3C is selected, TxDOT will consult with THC regarding the design of the new approach spans and their compatibility with the existing historic structure.*

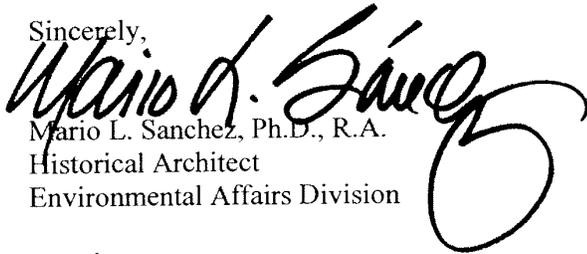
Conclusion:

Specifically, in response to your correspondence of June 7, 2011, we determine that the project will have **no adverse effect** upon resources 5, 11, 12 and 14. As a result, landside alignments 2A and 2B, and floodway alignment 4B will have **no adverse effect** upon historic properties.

Floodway alignment 3C impacts the north approach spans of the Continental Viaduct and will have an **adverse effect** upon this historic structure. TxDOT will continue consultation with THC to mitigate this adverse effect if 3C is selected as the preferred alternative for Trinity Parkway.

We request your written concurrence with these determinations of effects within 20 days of receiving this letter. If you have any questions or comments concerning these determinations, please call me at 416-2770.

Sincerely,


Mario L. Sanchez, Ph.D., R.A.
Historical Architect
Environmental Affairs Division

Attachments

CONCUR Trinity River Parkway Corridor (CSJs -- 0918-45-121; 0918-45-122)	
Alternatives 2A, 2B, 4C: NO ADVERSE EFFECT TO HISTORIC PROPERTIES	
Alternative 3C: ADVERSE EFFECT TO CONTINENTAL AVENUE VIADUCT/ CONTINUED CONSULTATION WITH THC IF ALT. 3C IS SELECTED	
Name: <u>Mark Wolfe</u>	Date: <u>7/21/11</u>
State Historic Preservation Officer	

- cc. Halff Associates, Jason Diamond
NTTA, Elizabeth Mow
FHWA, Theresa Claxton
USACE, Joseph Murphey
HNTB, Dan Chapman
Preservation Dallas, Katherine Seale
Dallas CLG, Mark Doty
Dallas Co. Historical Commission, Ann Spillman
Ecomm Corp., Tom Eisenhour, Kurt Korfmacher
Historic Bridge Foundation, Kitty Henderson



U.S. Department
of Transportation
**Federal Highway
Administration**

Texas Division
November 29, 2011

300 E. 8th Street, Rm 826
Austin, TX 78701
(Tel) 512-536-5900
(Fax) 512-536-5990
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In Reply Refer To:
HA-TX

Ms. Adrienne Campbell
History Division
Texas Historical Commission
P.O. Box 12276
Austin, Texas 78711

SECTION 106: DETERMINATION OF ELIGIBILITY -- DALLAS FLOODWAY
Trinity Parkway Project: from IH 35-E/SH 183 to US 175/SH 310 in Dallas County, Texas
Control Section Job 0918-45-121

Dear Ms. Campbell:

In accordance with 36 CFR 800, we are continuing consultation for the above-referenced, project, which constitutes a federal undertaking requiring interstate access approval from the Federal Highway Administration (FHWA). The purpose of this correspondence is to request agency review regarding the eligibility of the Dallas Floodway for listing in the National Register of Historic Places (NRHP).

PREVIOUS COORDINATION:

Section 106 eligibility and effects consultation for additional resources within the proposed project's area of potential effects was completed in previous separate consultation between the Texas Department of Transportation (TxDOT) and the Texas Historical Commission (THC). In a letter dated July 12, 2011, TxDOT determined that Alternatives 2A, 2B and 4B would have no adverse effect on historic properties, and that Alternative 3C, if selected, would have an adverse effect on the Continental Viaduct. THC concurred with those determinations on July 21, 2011.

In its July 12, 2011, correspondence, TxDOT noted that a determination of eligibility on the Dallas Floodway remained outstanding per further evaluation by TxDOT and FHWA. TxDOT had originally made a determination that the floodway was not eligible as a historic district in its letter dated October 26, 2009, based on the findings in the *Non-Archeological Historic-Age Reconnaissance Survey Report, Trinity Parkway (October 2009)*. In its response dated November 12, 2009, your agency indicated that the floodway could be eligible as a historic district at the local level of significance, but that additional information was needed regarding the integrity of floodway resources before making a final determination.

Since that time, based on careful examination of data submitted by the US Army Corps of Engineers (USACE), together with information provided by the City of Dallas Flood Control District, and in conjunction with previous field work and findings associated with the Trinity Parkway Project, FHWA can now reaffirm that the Dallas Floodway is **not eligible** to the NRHP. An accumulation of alterations, modifications, and additions affecting the majority of floodway components associated with water control and drainage result in an overall diminished integrity for these resources to sufficiently convey significance under any NRHP criteria.

THE DALLAS FLOODWAY:

The Dallas Floodway is located along the Trinity River in Dallas, Texas. The floodway extends roughly to Loop 12 at Elm Fork to the north, IH 30 at West Fork to the west, and the AT&SF Railroad crossing over the Trinity River to the south. The Trinity River and the floodway bisect the city of Dallas (see attached location map). Historical information, period of significance, floodway component descriptions, and historical significance discussed below are based on information provided by the USACE in unpublished reports and previous TxDOT-led studies, including:

--Non-Archeological Historic-Age Reconnaissance Survey Report, Trinity Parkway (TxDOT, October 2009)

--The Dallas Trinity River Reclamation Project: An Exploratory Study of Historic Significance, Integrity and Potential National Register Eligibility for the USACE Comprehensive Analysis Environmental Impact Statement (USACE, October 7, 2009)

--Intensive Engineering and Architectural Inventory of the Dallas Floodway, Dallas, Texas (USACE, January, 2010)

--Intensive Engineering and Architectural Inventory of the Dallas Floodway, Dallas, Texas (USACE, May 3, 2010)

--Intensive-Level Investigations in support of Proposed Trinity Parkway Project, Dallas, Dallas County, Texas (TxDOT, June 3, 2010)

-- Intensive Engineering Inventory of the Dallas Floodway, Dallas, Texas (USACE, August, 2010)

Property Type Evaluation

Based on numerous exchanges between TxDOT, FHWA and the USACE pertaining to the above-referenced reports, agreement was reached that an evaluation as an engineering structure was the most appropriate property type for assessing the floodway for eligibility to the NRHP.

To qualify for eligibility as an historic district, the resource must meet the NRHP definition of possessing “a significant concentration, linkage, or continuity of sites, buildings, structures or objects united historically or aesthetically by plan or physical development”.¹ A cultural landscape is “a geographic area, including both cultural and natural resources and the wildlife or domestic animals therein, associated with a historic event, activity, or person or exhibiting other cultural or aesthetic values” and may be one or more of four possible general types: historic

¹ National Park Service, *How to Apply the National Register Criteria for Evaluation* (Washington, D.C.: National Park Service, 1997) 15.

sites, historic designed landscapes, historic vernacular landscapes, and ethnographic landscapes.² The brief continues to state that “historic landscapes include residential gardens and community parks, scenic highways, rural communities, institutional grounds, cemeteries, battlefields and zoological gardens that are composed of a number of character-defining features which, individually or collectively contribute to the landscape’s physical appearance as they have evolved over time. In addition to vegetation and topography, cultural landscapes may include water features, such as ponds, streams, and fountains; circulation features, such as roads, paths, steps, and walls; buildings; and furnishings, including fences, benches, lights and sculptural objects, as well as views, spatial organization, and natural systems.”³

While conceptually the Dallas Floodway was intended to convey a united vision or plan (historic designed landscape) or could have represented the evolution of a built landscape over time (historic vernacular landscape), this vision was never fully achieved and the resource today does not represent a manifestation of a wide variety of resource types linked through a plan or development. As the original vision for the floodway as an integrated community resource and engineering feature did not materialize, it cannot be recommended for eligibility as an historic district or cultural landscape.

In evaluating the floodway as an engineering structure, the entire system is viewed as a single, interconnected entity composed of above- and below-ground components working collectively as a “flood control machine” (USACE, August 2010, p. 3-9). Evaluation as a structure would also allow research efforts to concentrate solely on the water drainage components of the floodway system.

Period of Significance

The period of significance (POS) for the floodway begins at the start of its construction in 1928. By 1932, the essential components of the floodway – the levees, overbank, channelized river, and pump stations – were built with city bond monies to contain the waters of the Trinity. In 1945, under an act of the US Congress, the USACE became involved in construction activities to strengthen the floodway by substantially adding, repairing and modifying its components. Initiated in 1953, the second construction phase was finished in 1959, thus closing the POS.

Historic Context

Founded by John Neely Bryan in 1841 and platted by J.P. Dumas in 1844, the city of Dallas was susceptible to flooding by the Trinity River. In 1908, a massive flood hit the city, widening the river to an estimated 2-mile width and causing \$2.5 million in damage.

In 1910, the city enlisted the help of George E. Kessler to create a plan for a flood control levee system, but its implementation was interrupted by World War I. After the war, the city requested that Kessler revise his plan to widen and raise the height of the proposed levees. The plan also included creation of two parkways, purchase of five municipal parks, and construction of boulevards. In 1925, the Ulrickson Committee finalized Kessler’s plan, and the Joint Plan of Reclamation was updated again in 1928 adding storm sewer systems, water works, and traffic

²Charles Birnbaum, Preservation Bulletin 36, *Protecting Cultural Landscapes: Planning, Treatment, and Management of Historic Landscapes*, (Washington, D.C., National Park Service, 1994).

³ Ibid.

ways, and solidifying the levee system to control flooding in 10,500 acres along the Trinity River.

Construction of the 26-mile floodway began in 1928. The confluence of the Trinity River was moved three and a half miles west of its original location and the Trinity River channel was straightened. Approximately 15 miles of new river channels were excavated. The floodway and overbanks were intended to be unobstructed, open spaces in order to carry floodwaters.

Two parallel levees totaling 24.6 miles ran alongside the main channel. The East and West Levees, together with their tie-backs, were 11.9 and 10.9 miles in length, respectively, while the Northwest Levee was 2.8 miles in length. The levees were an average height of 26 feet, 156 feet wide at the base, and six feet wide at the crown. The levee's infrastructure included four pump stations, five sluiceways, and three pressure sewers. The levees were originally to be a 3:1 slope but in 1931, in an effort to save costs, the Joint Plan of Reclamation was amended and the levees were changed to 2.5:1, and in some places, 2:1.

In 1946, the Dallas County Flood Control District was established to protect state resources and control the maintenance of the levees. Based on an act of Congress, the USACE was also charged with repairing and reconstructing the floodway. The 1949 flood of the Trinity River led Congress to commission a new USACE District in Fort Worth that would control all levee projects in Dallas and Fort Worth. The district produced six project reports detailing plans to strengthen components of the Dallas Floodway.

Construction of the USACE's Dallas Floodway project began in 1953 and ended in 1959. The project included building three new pump stations, three new gate controlled culverts, and two new pressure sewers. Between Belleview Pressure Sewer and the Cadiz Street Viaduct, the river channel was moved 100 feet to the west of its original path. Additional fill was placed on the river side to change the slope of and enlarge the East and West Levees. USACE increased the average levee height to 28 feet, extended the crown to 16 feet wide and its side slopes to 3:1, and moved their centerline by as much as 44 feet in some segments. The additional fill on the riverside reduced the width of the floodway by 30 feet.

In the post-war era, the city's land mass had increased to ninety square miles by 1960, reflecting a residential and commercial construction boom. The flood control undertaking allowed for hundreds of acres of new development along the Trinity River in an area known as the Hydraulic Fill Area, which became known as the Trinity Industrial District. When the Dallas County Flood District expired in 1968, the city of Dallas and Irving took control of the Dallas Floodway responsibilities. The USACE retains its oversight and inspections of the entire length of the floodway. Additional pumping plants, outlet gate structures, pressure sewers, and sluices were constructed between 1970 and 2000 together with levee and main river channel modifications in the 1990s.

Dallas Floodway Essential Physical Features

Per NRHP Bulletin #15, "essential physical features are those features that define both why a property is significant (Applicable Criteria and Areas of Significance) and when it was

significant (Periods of Significance).”⁴ The Dallas Floodway consists of four essential physical features: 1) Levees, 2) Diversion channels, 3) Overbank, and 4) Structures. The four essential physical features function in unity within the larger flood control system. Without any one of the features of this four-part system, the floodway could not function as a flood control system. A brief description of the four essential physical features is provided below, with additional discussion following in the character-defining features section:

--Levees are battered, manmade earthen embankments forming the outer walls of the overbank area to contain floodwater within the floodway.

--Diversion channels are manmade dredged channels designed to carry redirected water to the new, channelized Trinity River, as well as from storm water outfalls, the original river bed, and other diversion channels within the interior drainage system.

--Overbank is the area of land between the levees throughout the floodway. The outer areas of the overbank contain outlet gates and outspill structures associated with pumping plants and pressure sewers.

--Structures associated with the floodway assist in flood control and include pumping plants, outlet gates structures, pressure sewers, sluices, intakes, culverts, sumps, and emergency control structures.

Character-defining Features within Essential Physical Features

The four essential physical features also contain character-defining features to assist in flood control (see attached map for location of these features):

Levees

The levees encompass four separate levee systems: East Levee, West Levee, Northwest Levee, and tie backs. The East and West levees each extend 12 miles along the floodway in a general west-to-northwest downstream direction parallel to the Trinity River diversion channel. To the north, the two levees split into the 2.8-mile long Northwest Levee and East and West Tie Back Levees.

The distinguishing features of the levees include their height, width, and trapezoidal profile. The levees are approximately 28 feet above the overbank and consist of a 16-foot crown at the top of the levee and a 3:1 slope for the side walls, flattening to a 3.5:1 slope on the land side in some areas. Earthen ramps are also built into the levee walls providing vehicular access to and from roadways on the land and river sides.

Diversion Channels

The diversion channels consist of the main, channelized Trinity River, 15 miles of secondary diversion channels, and two miles of auxiliary channels:

⁴ National Park Service, *How to Apply the National Register Criteria for Evaluation* (Washington, D.C.: National Park Service, 1997) 46.

--Trinity River diversion channel is the seven-mile-long relocated channel of the Trinity River. It is a manmade dredged channel with stone rip rap and vegetation lining the banks, and extends down the center of the floodway between the levees in a northwest-to-southeast direction.

--West Fork and Elm Fork diversion channels are two secondary waterways along the West Tie Back and East Tie Back levees, respectively.

--Old West and Elm Fork Channels and the Old Trinity River Channel are outside of the levees and floodway and are no longer essential to the function of the floodway.

Overbank

The overbank contains the main Trinity River diversion channel and measures approximately 2,000 to 3,000 feet between the levee toes. The overbank encompasses the area between the West Fork Diversion Channel and the West Tie Back Levee, and the land between the East Tie Back Levee and the Northwest Levee at either side of the Elm Fork Diversion Channel channels. It is a wide, flat, undeveloped stretch of land with riparian areas and wetland depressions. Tree growth is dispersed throughout the overbank.

The overbank also contains a myriad of modern intrusions, including 20-acre Trammell Crow Lake Park (containing a lake, sports fields, and a boat ramp), extensive overhead electric lines mounted on large metal towers in the area just north of Continental bridge and extending south on the southwest side of the overbank to the AT&SF bridge, and overhead electric lines crossing the West Tie Back Levee and East Levee. While not maintained by the City of Dallas, the 220-acre Trinity View Park and the 330-acre Trinity Wells Park and Golf Course spill into the floodway area.

Structures

The multitude of structures include pumping plants, outlet gate structures, pressure sewers, intakes, sluices, culverts, sumps, and emergency control structures, a number of which were built before 1960 during the period of significance. All of these structures – both above and below ground – are integral to the flood control system. They function contiguously to make the overall flood control structure manageable and keep dry the reclaimed and other adjacent lands by transferring water from the landside of the levees to the diversion channel within the overbank.

--Pumping plants are facilities that contain the pumps necessary for moving water from one location to another. The pumps operate over a discharge chamber, which diverts the water from the plant into the overbank area through an underground sluiceway that leads to the outlet gate structures. They are located adjacent to the levees on the land side.

--Outlet gate structures are outspill structures that carry storm water from the pressure sewers and pumping plant facilities out to the channelized river to avoid flooding. The tall concrete towers housing gate hoists are located on the inside of the overbank on the river side of the levees.

--Pressure sewers are systems of pipes that carry storm water runoff to higher elevations, or in the case of the Trinity River, to the diversion channel. They are located on both the river and land sides of the levees. The concrete structures house reinforced metal pipes to handle the water flow between the riverside and landside of the levees.

--Intake structures are large, grated concrete openings where water enters into the floodway's system of sluiceways and culverts. They are associated with the larger pumping plants and pressure sewers and are located in the watershed.

--Sluices are gravity-controlled and, along with the culverts, they are concrete water channels controlled by a gate utilized to direct water levels. They are located on the outer edges of the East and West Levees.

--Sumps (totaling 373, according to a 1969 report) are drainage ditches that collect local storm water runoff and discharge it into culverts throughout the floodway system. They are located near the levees and often adjacent to pumping plants on the landside.

--Emergency control structures are concrete bulkheads that allow for the closure, if necessary, of two sanitary sewer lines that cross the East Levee in the event of excessive leakage or failure during periods of high water.

Statement of Significance

Criterion A

The Dallas Floodway demonstrates significance at the local level under NRHP Criterion A: Community Planning and Development, for its contribution to the physical growth and development of the City of Dallas. Its function as a flood control system facilitated the city's planning efforts, allowing residential and industrial growth along the Trinity River.

The floodway had two phases of development during its 1928-1959 period of significance. The first phase was the initial construction of the floodway between 1928 and 1932 that was partly based on Kessler's plan, plus the two Joint Plans of Reclamation of 1928 and 1931. The second phase was USACE's program between 1953 and 1959 that repaired, modified, strengthened and partly re-aligned the levee system and added new pumping plants and pressure sewers. This latter phase allowed development of reclaimed lands during the 1940s and 1950s, including commercial development in the Trinity Industrial District, and commercial and residential development in West Dallas. (In a separate survey report forwarded by TxDOT to THC in a letter dated June 16, 2010, the Trinity Industrial District was determined to be not eligible to the NRHP under Criteria A, B, or C. THC concurred with those findings on July 6, 2010).

While the floodway contributed to the city's development, it has undergone numerous alterations and modifications since the closing of its period of significance in 1959, thus impairing its associative significance under Criterion A. As a result of these major modifications, the floodway no longer retains integrity of design, setting, workmanship, materials, or association and feeling. (See integrity discussion in the section below: "Factors Compromising Integrity of the Dallas Floodway").

Criterion B

The Dallas Floodway is not significant under Criterion B because it lacks sufficient integrity of association with significant historical figures. Several individuals who made important contributions to the history of Dallas were involved in the Dallas Floodway project, but they did not gain importance within their professional areas due to the project:

--George Dealey championed the reclamation of the Trinity River for development, but his significance is better understood as publisher of *The Dallas Morning News* and crusader of redevelopment in an area in downtown Dallas.

--George E. Kessler developed a plan for the Dallas Floodway, but his significance in city planning and landscape design is not specifically connected to this plan, which was never fully implemented as Kessler originally envisioned.

--Leslie Stemmons was creator and supervisor of the City and County of Dallas Levee Improvement District which developed the Joint Plan of Reclamation. He acted, however, in conjunction with the multitude of additional agencies and organizations involved in the floodway project and his role did not significantly influence the design, engineering, or implementation of the floodway project. He is more known for his significant contributions as a business leader and real estate developer in Dallas.

--John Stemmons, son of Leslie Stemmons, assisted in creating the Dallas County Flood Control District, which operated and maintained the Dallas Floodway between 1945 and 1968, ending ten years after the period of significance for the floodway. Stemmons' historical significance is more appropriately conveyed through his role as president of the Industrial Properties Corporation that developed the Trinity Industrial District. Consequently, his most significant achievements in community development are not illustrated by the floodway.

Criterion C

Diminished integrity of materials, workmanship, setting, and design compromise the floodway's ability to convey its engineering significance. The floodway is also not "exceptionally innovative in terms of engineering" (USACE, Aug. 2010, p. 5-68), nor is it a precedent-setting flood control project, as it does not employ unique or distinctive design elements, materials, equipment or innovative technology. Per the recognition of the 1932 floodway components by the Texas section of the American Society of Civil Engineers, the floodway "did not incorporate any truly innovative civil engineering design."⁵ The Miami River flood control project in Dayton, Ohio was a precedent-setting project constructed between 1918 and 1922, and at the time was the largest public works project in the world.⁶

Factors Supporting Compromised Integrity of the Dallas Floodway

⁵ American Society of Civil Engineers, *National Historic Civil Engineering Landmark Nomination Form*, p. 3.

⁶ "The History of MCD: Construction." <<http://www.miamiconservancy.org/about/construction.asp>> Accessed 13 January 2011.

As illustrated below, modifications, improvements, and modern intrusions into the Dallas Floodway since the closing of its period of significance in 1959 are neither inconsequential nor negligible. The combined effects of these alterations to its engineering components compromise the integrity of the floodway as a whole, thereby diminishing its aspects of design, setting, materials, workmanship, feeling and association.

The fact that the floodway still denotes function is not sufficient for establishing its eligibility to the NRHP. Its evaluation as a single engineering structure with a set of interrelated components requires that all of its essential physical features evidence their historical integrity. Lack of integrity in any one of those essential features that serve as the foundation for the floodway's operation – levees, overbank, diversions channels, or structures – affects integrity of the unified flood control system.

FHWA and TxDOT note that the extensive collection of underground floodway components (culverts, sluices, pressure sewers etc.) were un-assessed by the USACE due to lack of visibility. The USACE acknowledged that the Dallas Floodway is “one continuous entity that includes all of its underground and above ground components as one engineering system working in concert,” (USACE, August 2010, p. 5-66), and that “levees, pumping plants and pressure sewers are the engineering components that make it work in unity” (USACE, August 2010, p. 3-9). As discussed in NRHP Bulletin #15, the essential physical features of eligible properties must not only be retained, but must also be “visible enough to convey their significance.” If significant features are concealed under modern construction -- as are those in the Dallas Floodway – a property's integrity is “questionable.”⁷

While the length and breadth of improvements to the floodway's underground features cannot be fully ascertained, USACE reports acknowledge their continued upgrades by the City of Dallas Flood Control District, including “improvements [that] primarily took place underground, within, or underneath the pumping plant complexes” (USACE, August 2010, p. 5-29). Since these buried components are part of the floodway's operational system, their repeated improvements and upgrades renders questionable the integrity of a significant and integral portion of the flood control structure and, thereby, its ability to convey significance.

Below is a list of modifications and alterations affecting the integrity of the Dallas Floodway:

1. Location

- North and southeast sluices of Northwest Levee abandoned in 1990 and replaced by a pump station

2. Materials

- While two of the pumping plants (Old Baker, 1930, and Pavaho, 1954) were determined individually eligible under criteria A and C in 2009, over half of the existing pumping plants have experienced alterations outside the POS that ***changed the function of the plant*** by increasing the plants' pumping capacity with upgraded pumps, switchgear, sluices, sizeable roof equipment, and

⁷ National Park Service, *How to Apply the National Register Criteria for Evaluation* (Washington, D.C: National Park Service, 1997) 46.

uncomplimentary additions in near proximity that alter their historic appearance. The utilitarian design of the pumping plants magnifies the importance of their alterations with bricked windows openings, among others, when evaluating their integrity:

- 13 pump stations in the floodway
- 3 pumping plants upgraded in 1960s and 1970s: Delta (upgraded pumps and switchgear), Charlie (replacement pumps and switchgear), Able (upgraded 20,000 gallons per minute (gpm) pumps with 40,000 gpm pumps)
- 2 new pumping plants built in 1975: Hampton Road and additional plant at Baker location
- 2 small pump houses added in 1970s to Able, Charlie, Delta, and Pavaho pumping plants
- Northwest Levee new pump stations 1974 and 1995

3. Design

- Ledbetter Dike: modifications in 1960s include new gate-control structure, new conduit, and intake and outlet structure for new conduit, automated gate operators added in 1990s that changed the function of the dike from man-powered and gravity-driven to automatic machine-operated
- Addition of 4 ft.-tall, 12 ft.-wide pipelines atop levees between 1969 and 1977, assisting the levees with flood control and no longer allowing the levee in those sections to function independently within the larger system
- Change in river side slope of East and West levees from 3:1 during POS to 4:1 in late 1990s, resulting in flatter, wider levee; East and West levees' crowns raised by 2 feet in late 1990s. Such modifications occurred in the segment downstream of the Continental Street Viaduct, encompassing one-third of the floodway system
- Northwest Levee vertical and horizontal enlargement 1974; modifications 2006, 2008
- Parallel Levee Channel along Northwest Levee now drains its water through metal pipe installed in 1960s, steel tie-rods and metal sheet pile installed in 2007; heavily reinforced due to buckling of side walls in 2010
- Main diversion channel widened in late 1990s, changing the flood control capacity of the channel
- New Frazier Dam installed at Elm Fork diversion channel in 1965 for flood control purposes, resulting in the 180 ft.-long dam controlling the flow of water and any flooding rather than the Elm Fork diversion channel acting as the sole flood control feature in this area
- New structures and parks added to overbank after the POS: extensive power lines, Trammell Crow Lake Park, Trinity Wells Park and Golf Course and Trinity View Park
- Two new pressure sewers and outlet gate structures -- Woodall Rogers (1979), Coombs Creek (1989); improvements to existing pressure sewers at Turtle Creek, Lake Cliff, Dallas Branch, Belleview (1989); new outlet gate structure at Old Coombs Creek Pressure Sewer (1989)

- Sluices and culverts modified throughout 1980s and 1990s to add floodway capacity, specifically Elm Fork Sluice extended 1960, Grauwlyer C.S.G. and Ledbetter C.S.G. modified 1990s; new sluice at Northwest Levee (1974)
4. Workmanship
 - See above modifications that eliminated or unsympathetically modified the work completed during the POS
 5. Setting
 - Compromised due to disruption of the original open viewshed design of the floodway by encroachment with physical elements to the overbank and levees, including sizeable utility towers, 21 bridges (including the new Signature Bridge) and 3 parks that create visual barriers and diminish its historic character; change in levee topography due to flattening of levees after the POS; wooded vegetation along main diversion channel; and pipelines constructed after the POS atop levees
 6. Feeling
 - The floodway possesses diminished integrity of feeling due to the alterations noted above. If setting, design, materials, and workmanship are compromised, it follows that integrity of feeling is also compromised, thereby negating the identity for which the resource could be rendered significant under any NRHP criteria
 7. Association
 - The floodway possesses diminished integrity of association due to the alterations noted above. If setting, design, materials, workmanship and feeling are compromised, it follows that integrity of association is also compromised, thereby negating the identity for which the resource could be rendered significant under any NRHP criteria.

DALLAS FLOODWAY: DETERMINATION OF ELIGIBILITY TO THE NRHP

The Dallas Floodway within the City of Dallas extends roughly to Loop 12 at Elm Fork to the north, IH 30 at West Fork to the west, and the AT&SF Railroad crossing over the Trinity River to the south. The period of significance for the resource dates from 1928, the year construction began on the floodway, to 1959, the year the USACE completed construction of projects that significantly modified the system.

The Dallas Floodway contains four essential physical features (levees, diversion channels, overbanks, and structures) with an extensive set of character-defining features, all of which incrementally and continually have been encroached upon with substantive modifications and intrusions since 1960. To effectively convey significance, the Dallas Floodway cannot overcome the modern development intrusions upon its immediate and surrounding environment, as well as surmount the new additions and alterations to its engineering and architectural components that enable it to function as a flood control system in Central Dallas. Substantively and cumulatively, the combined effects of these factors significantly compromise the integrity of the Dallas Floodway by affecting its integrity of setting, design, workmanship, materials, feeling and association. These intrusions and alterations are not negligible, and they do not allow the floodway to convey its significance as an intact historic resource. Consequently, and on the basis of on-going consultation with TxDOT, FHWA determines the Dallas Floodway is **not eligible** for listing in the National Register of Historic Places under:

- Criterion A: Community Planning and Development, at local level of significance, due to diminished aspects of integrity that compromise its associative significance.
- Criterion B due to lack of sufficient integrity of association with significant historical figures.
- Criterion C due to diminished integrity compromising the floodway's ability to convey its engineering significance, and due to information provided by the USACE indicating that the floodway is not an exceptionally innovative engineering feat, nor a precedent-setting flood control project.

CONCLUSION:

We request your expedited written concurrence with this determination of eligibility to coincide with your evaluation of the findings on the floodway recently submitted to THC by the City of Dallas. If you have any questions or comments concerning these determinations, please contact Anita Wilson at anita.wilson@dot.gov or (512) 536-5951 or Theresa Claxton at theresa.claxton@dot.gov or (512) 536-5943.

Sincerely,



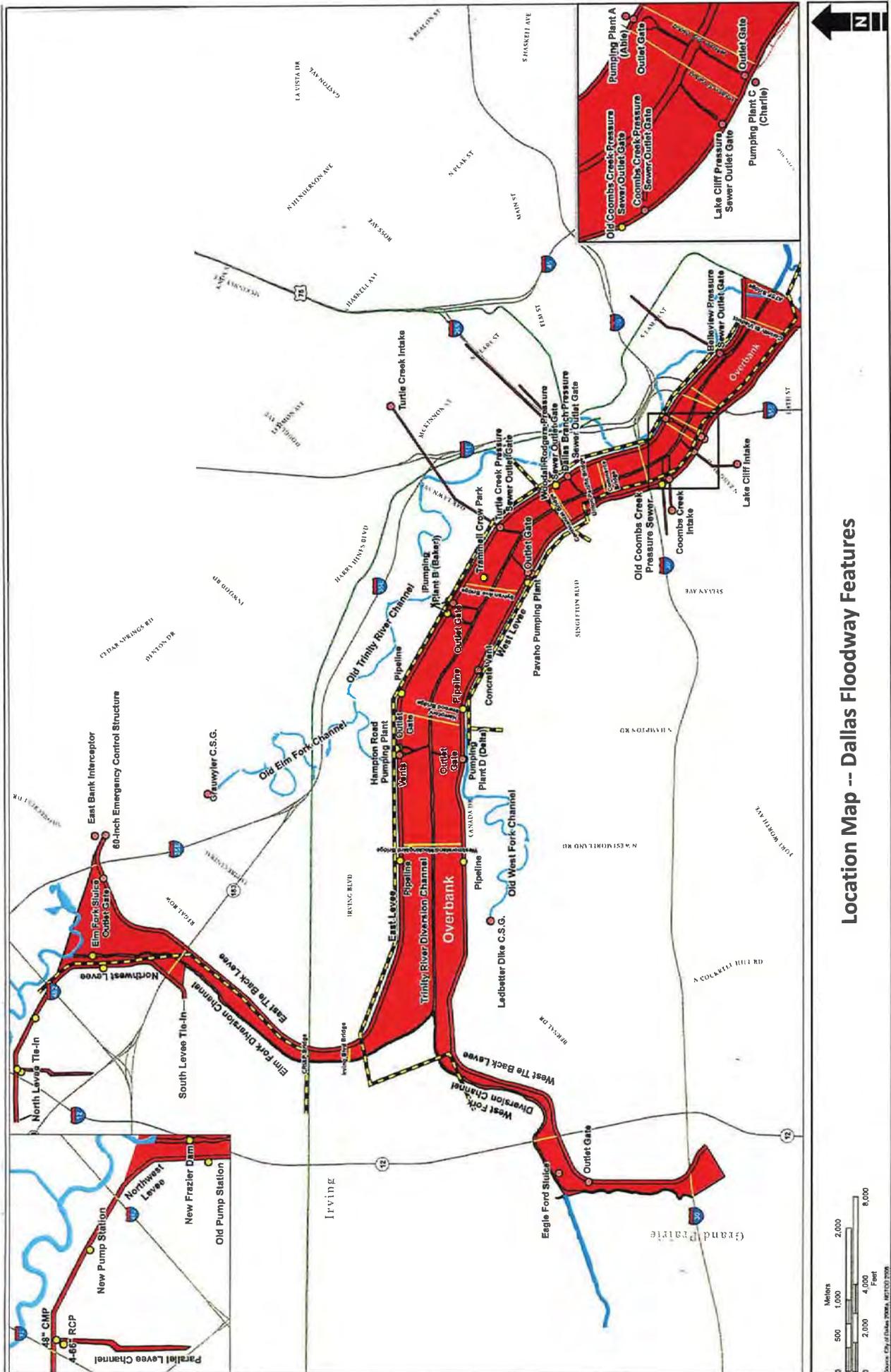
Salvador Deocampo
District Engineer

Enclosure

CONCUR
DALLAS FLOODWAY
NOT ELIGIBLE to the National Register of Historic Places
Associated with the Trinity Parkway Project (CSJ 0918-45-121)

NAME: _____ **DATE:** _____
for: Mark Wolfe
State Historic Preservation Officer

- cc. FHWA, Anita Wilson, Theresa Claxton
USACE, Joseph Murphey
- ecc. Halff Associates, Jason Diamond
NTTA, Elizabeth Mow
HNTB, Dan Chapman
Preservation Dallas, Katherine Seale
Dallas CLG, Mark Doty
Dallas Co. Historical Commission, Ann Spillman
Ecomm Corp., Tom Eisenhour, Kurt Korfmacher
Historic Bridge Foundation, Kitty Henderson
- bcc. Dallas District, Dan Perge
Dallas District, Nasser Askari
ENV/PD, Lindsey Kimmitt
ENV/PM, Lisa Hart
ENV/HIST, Bruce Jensen
ENV/HIST, Mario L. Sanchez



Location Map -- Dallas Floodway Features

TEXAS HISTORICAL COMMISSION

real places telling real stories

December 30, 2011

Salvador Deocampo
District Engineer
U.S. Department of Transportation
Federal Highway Administration
Texas Division
300 E 8th Street, Rm 826
Austin, Texas 78701

Re: Project review under Section 106 of the National Historic Preservation Act of 1966, Trinity River Parkway Corridor Determination of Eligibility for Dallas Floodway, Dallas County (FHWA)

TxDOT CSJ # 0918-45-121

Dear Mr. Deocampo:

Thank you for the information provided in your November 29, 2011 letter. This letter serves as a comment from the State Historic Preservation Officer (SHPO), the Executive Director of the Texas Historical Commission (THC).

Based on the information you have provided and the information in the *Intensive Engineering Inventory and Analysis of the Dallas Floodway* report provided by the City of Dallas and the U.S. Army Corps of Engineers (USACE), we do not concur with your determination that the Dallas Floodway is not eligible for listing in the National Register of Historic Places (NRHP). A review of the report by THC staff leads our staff to the conclusion that the Dallas Floodway is eligible for listing in the National Register of Historic Places, at the local level of significance, in the areas of Engineering and Community Planning and Development, under criterion A.

You noted several changes that took place after the historic period and diminish integrity of location, materials, design, workmanship, setting, feeling, and association. We concur that there has been a loss of historic integrity based on these changes, but we do not concur that it is sufficient to render the floodway ineligible for listing in the NRHP. The floodway retains the essential physical features that made up its character or appearance during the period of significance. We base our conclusion on the following considerations:

- National Register Bulletin 15 states “a basic integrity test for a property associated with an important event or person is whether a historical contemporary would recognize the property as it exists today.” Based on historic photos and the documentation of the existence and condition of key character-defining features from the historic period (the levees, overbank, diversion channel, old river channels, pumping plant buildings, pressure sewers, and other historic structures) in the report, it is certainly recognizable.
- For infrastructure properties to retain eligibility under Criterion A, integrity of materials and workmanship is not as essential as location, design, feeling, and association. Therefore, while the replacement of equipment and bricked window openings at the historic pumping plant buildings do detract from integrity of materials and workmanship,



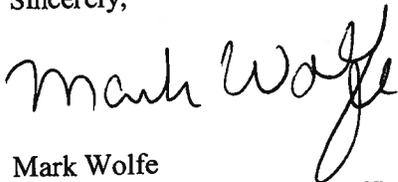
these aspects of integrity are not as essential in the consideration of eligibility to the NRHP.

- Past coordination between the International Boundary and Water Commission and THC regarding levees in South Texas that were considered eligible for listing in the National Register of Historic Places resulted in a determination that adding soil to levees does not constitute an adverse effect to this type of resource. Therefore, we do not consider post-historic modifications to the slope and crowns of the levees to detract from the eligibility of the floodway.
- From previous coordination of complex infrastructure resources, such as irrigation systems and floodways, we have found that there is a hierarchy of significance for features within the system. The majority of the key character-defining features of this system are extant and operable; few have been demolished or modified to the extent that they are no longer recognizable to the historic period. The replacement of equipment at the pumping plants and modifications to gates, sluices, and culverts are minor changes and only have a small impact on the integrity of the larger system.
- Because of the evolution of technology, non-historic components should be expected at still-functioning infrastructure resources. Despite the addition of newer plant buildings at the pumping plants, the retention of the historic pumping plant buildings allows the floodway to continue to convey its significance from the historic period. Similarly, the non-historic dam, pressure sewers, and outlet gate structures do not detract from the integrity of the system. In general, these “new” features meet the *Secretary of the Interior’s Standards for Rehabilitation* as these features are differentiated from the old (most often by the use of new technology) and are often compatible with the massing, size and scale of adjacent construction and certainly with the floodway as a whole.
- Regarding underground features, you refer to National Register Bulletin 15 where it states “properties eligible under Criteria A, B, and C must not only retain their essential physical features, but the features must be visible enough to convey their significance. This means that even if a property is physically intact, its integrity is questionable if its significant features are concealed under modern construction.” Although we recognize the challenge that underground features represent, we do not agree with your application of this standard to them, as it is specifically meant for features that were visible during the period of significance, but are no longer visible. Components of the floodway that were historically underground and still are underground in the same location cannot detract from the integrity of the system. For the purpose of comparison with another resource type with underground features, we referred to National Register Bulletin No. 42, “Guidelines for Identifying, Evaluating, and Registering Historic Mining Properties.” According to the National Park Service, underground components of mining properties “need not be inspected for National Register integrity.” Instead, design integrity for these features should be evaluated by the information gathered in review of written records that document any changes to them. Your letter identifies that improvements and upgrades took place underground in the areas of the pumping plant complexes, but the documentation of these changes in the report provided by the City of Dallas and USACE is not sufficient to support a determination that changes to underground components have resulted in a net loss of integrity that would make the Dallas Floodway not eligible. Without knowing what all of these changes and upgrades are, it is difficult to apply the *Secretary of the Interior’s Standards for Rehabilitation* and evaluate whether they adversely affected the floodway.
- You note that alterations to many of the pumping plants have changed the function of the plants. We do not concur that the function of these plants has been changed. Rather, their capacity has increased by the equipment upgrades and construction of larger, adjacent

- pump stations. Neither do we agree that a change in function would, by itself, make a building or structure ineligible for listing in the NRHP.
- Regarding your evaluation that the power lines, new bridges and parks pose a severe adverse effect to the setting of the floodway, we disagree. Instead, we support the characterization of the USACE report: “neither the power lines nor the bridges create a physical or visual barrier in the floodway system, and as a result, these features have not diminished the historic character of the floodway or its ability to convey its historic significance.” Some changes in setting must be expected in an urban area.

Thank you for your consideration of our comments. Based on this review, we anticipate that neither the construction of additional bridges across the floodway in future projects nor the construction of alternatives 2A or 2B of the Trinity Parkway project have the potential to adversely affect the historic floodway. Alternatives 3C and 4B have a greater potential for effect. We would not consider the construction of roads on the overbank alone to be an adverse effect; however, other considerations in the design, such as floodwalls, may increase the potential for adverse effect. We look forward to working with your office regarding the resolution of our concerns and completion of coordination. If you have any questions concerning this review or if we can be of further assistance, please contact Adrienne Campbell at 512/936-7403.

Sincerely,



Mark Wolfe
State Historic Preservation Officer

Cc: Theresa Claxton, FHWA
Anita Wilson, FHWA
Joseph Murphey, USACE
Bruce Jensen, TxDOT
Dr. Mario Sanchez, TxDOT



U.S. Department
of Transportation
**Federal Highway
Administration**

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February 27, 2013

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In Reply Refer To:
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Texas Historical Commission
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**SECTION 106: DETERMINATION OF ELIGIBILITY AND EFFECTS—DALLAS
FLOODWAY**

**Trinity Parkway Project: from IH 35 E/SH 183 to US 175/SH 310 in Dallas County, Texas
Control Section Job 0918-45-121**

Dear Ms. Henderson:

In accordance with 36 CFR 800, we are continuing consultation for the above-referenced project, which constitutes a federal undertaking requiring interstate access approval from the Federal Highway Administration (FHWA). The purpose of this correspondence is to request agency review regarding the eligibility of the Dallas Floodway for listing in the National Register of Historic Places (NRHP) and potential effect from the Trinity Parkway Project (the Project) to this resource.

PREVIOUS COORDINATION:

Section 106 eligibility and effects consultation for additional resources within the proposed project's area of potential effects (APE) was completed in previous separate consultation between the Texas Department of Transportation (TxDOT) and the Texas Historical Commission (THC). In a letter dated July 12, 2011, TxDOT determined that Alternatives 2A, 2B and 4B would have no adverse effect on historic properties and that Alternative 3C, if selected, would have an adverse effect on the Continental Street Viaduct. THC concurred with those determinations on July 21, 2011.

In its July 12, 2011 correspondence, TxDOT noted that a determination of eligibility on the Dallas Floodway remained outstanding per further evaluation by TxDOT and FHWA. TxDOT originally made a determination that the floodway was not eligible as a historic district in its letter dated October 26, 2009, based on the findings in the *Non-Archaeological Historic-Age Reconnaissance Survey Report, Trinity Parkway (October 2009)*. In its response dated November 12, 2009, your agency indicated that the floodway could be eligible as a historic

district at the local level of significance, but that additional information was needed regarding the integrity of the floodway resources before making a final determination.

On November 29, 2011, FHWA requested THC review and comment on a determination of the floodway as not eligible for the NRHP. The SHPO did not concur with that determination in its response dated December 30, 2011. Based on that response, FHWA now determines that the Dallas Floodway is **eligible** to the NRHP under Criterion A at the local level of significance for Community Planning and Development.

An accumulation of alterations, modifications and additions affecting the majority of the floodway components associated with water control and drainage, coupled with the lack of noted innovative, unique or significant engineering, eliminate the eligibility of this resource in the area of Engineering either under Criterion A or Criterion C.

THE DALLAS FLOODWAY:

The Dallas Floodway is located along the Trinity River in Dallas, Texas. The floodway extends roughly to Loop 12 at the Elm Fork to the north, IH 30 at the West Fork to the west and the AT&SF Railroad crossing over the Trinity River to the south. The Trinity River and the floodway bisect the city of Dallas (Figure A). Historical information, period of significance (POS), floodway component descriptions and historical significance discussed below are based on information provided by the US Army Corps of Engineers (USACE) in unpublished reports and previous TxDOT-led studies, including:

- *Non-Archeological Historic-Age Reconnaissance Survey Report, Trinity Parkway (TxDOT, October 2009)*
- *The Dallas Trinity River Reclamation Project: An Exploratory Study of Historic Significance, Integrity and Potential National Register Eligibility for the USACE Comprehensive Analysis Environmental Impact Statement (USACE, October 7, 2009)*
- *Intensive Engineering and Architectural Inventory of the Dallas Floodway, Dallas, Texas (USACE, January, 2010)*
- *Intensive Engineering and Architectural Inventory of the Dallas Floodway, Dallas, Texas (USACE, May 3, 2010)*
- *Intensive-Level Investigations in support of Proposed Trinity Parkway Project, Dallas, Dallas County, Texas (TxDOT, June 3, 2010)*
- *Intensive Engineering Inventory of the Dallas Floodway, Dallas, Texas (USACE, August, 2010)*

Property Type Evaluation

As previously discussed in the November 29, 2011 correspondence, while conceptually the Dallas Floodway was intended to convey a united vision or plan (historic designed landscape) or could have represented the evolution of a built landscape over time (historic vernacular landscape), this vision was never fully achieved and the resource today does not represent a manifestation of a wide variety of resource types linked through a plan or development. As the original vision for the floodway as an integrated community resource and engineering feature did not materialize historically and given its current state, it cannot be recommended for eligibility as an historic district or cultural landscape.

Based on numerous exchanges between TxDOT, FHWA and the USACE pertaining to the above referenced reports and the above presented rationale on why the resource would not be eligible as a historic district or cultural landscape, agreement was reached that an evaluation of the floodway as an historic engineering structure was the most appropriate property type for assessing floodway eligibility to the NRHP.

Period of Significance

The POS for the floodway begins at the start of its construction in 1928. By 1932, the essential components of the floodway—the levees, overbank, channelized river and pump stations—were built with city bond monies to contain the waters of the Trinity. In 1945, under an act of the US Congress, the USACE became involved in construction activities to strengthen the floodway by substantially adding, repairing and modifying its components. Initiated in 1953, the second construction phase was finished in 1959, thus closing the POS.

Historic Context

As referenced in detail in the November 29, 2011 correspondence from FHWA, key developers in Dallas worked diligently as early as 1910 to develop plans to provide flood protection to the Dallas city center. Over the years, funding limitations resulted in modifications to the original floodway designs. Modifications to the floodway elements continue to occur to this day to ensure that the system continues to operate as a functional flood control system.

Dallas Floodway Essential Physical Features

In evaluating the floodway as an engineering structure, the entire system is viewed as a single, interconnected entity composed of above- and below-ground components working collectively as a “flood control machine.”¹

Per NRHP Bulletin #15, “essential physical features are those features that define both why a property is significant (Applicable Criteria and Areas of Significance) and when it was significant (POS).”² The Dallas Floodway consists of four essential physical features: 1) Levees, 2) Diversion channels, 3) Overbank and 4) Structures. The four essential physical features function in unity within the larger flood control system. A brief description of the four essential physical features is provided below, with additional discussion following in the character-defining features section:

- Levees are battered, manmade earthen embankments forming the outer walls of the overbank area to contain floodwater within the floodway.
- Diversion channels are manmade dredged channels designed to carry redirected water to the new, channelized Trinity River, as well as from storm water outfalls and other diversion channels within the interior drainage system.
- Overbank is the area of land between the levees throughout the floodway. The outer areas of the overbank contain outlet gates and outspill structures associated with pumping plants and pressure sewers.
- Structures associated with the floodway assist in flood control and include pumping plants, outlet gate structures, pressure sewers, sluices, intakes, culverts, sumps and emergency control structures.

¹ USACE, *Intensive Engineering Inventory of the Dallas Floodway, Dallas, Texas*, August 2010, p.3-9.

² National Park Service, *How to Apply the National Register Criteria for Evaluation*, 1997, p. 46.

Character-defining Features within Essential Physical Features

The four essential physical features also contain character-defining features to assist in flood control:

Levees

The levee system encompasses three separate levees: East Levee, West Levee and the Northwest Levee. The East and West levees each extend 12 miles along the floodway in a general west-to-southeast downstream direction parallel to the Trinity River diversion channel. To the north, at the confluence of the Elm Fork and West Fork of the Trinity River, the two levees split. The East Levee continues in a northeasterly direction along the Elm Fork and the West Levee continues in a southwesterly direction along the West Fork. These diverging sections of the East and West Levees are also known locally as the East and West Tie Back Levees, respectively. The 2.8 mile long Northwest Levee runs parallel to the East Tie Back Levee along the Elm Fork.

The distinguishing features of the levees include their height, width and trapezoidal profile. The levees are approximately 28 feet above the overbank and consist of a 16-foot crown at the top of the levee and a 3:1 slope for the side walls, flattening to a 3.5:1 slope on the land side in some areas. Earthen ramps are also built into the levee walls providing vehicular access to and from roadways on the land and riversides.

Diversion Channels

The diversion channels consist of the main, channelized Trinity River, 15 miles of secondary diversion channels and two miles of auxiliary channels:

- Trinity River diversion channel is the seven-mile-long relocated channel of the Trinity River. It is a manmade dredged channel with stone rip rap and vegetation lining the banks and extends down the center of the floodway between the levees in a northwest-to-southeast direction.
- West Fork and Elm Fork diversion channels are two secondary waterways along the West Tie Back and East Tie Back levees, respectively.

Overbank

The overbank contains the main Trinity River diversion channel and measures approximately 1,400 to 3,000 feet between the East and West levee toes. The overbank also encompasses the area between the West Fork Diversion Channel and the West Tie Back Levee and the land between the East Tie Back Levee and the Northwest Levee at either side of the Elm Fork Diversion Channel. It is a wide, flat, undeveloped stretch of land with riparian areas and wetland depressions. Tree growth is dispersed through the overbank.

The overbank contains a myriad of modern intrusions, including the 20-acre Trammell Crow Lake Park (containing a lake, sports fields and a boat ramp), the Santa Fe Trestle Trail and associated parking lot, extensive overhead electric lines mounted on large metal towers in the area just north of the Continental bridge and extending south on the southwest side of the overbank to the AT&SF bridge and overhead electric lines crossing the West Tie Back Levee and East Levee. While not maintained by the City of Dallas, the 220-acre Trinity View Park and the 330-acre Twin Wells Park and Golf Course spill into the floodway area.

Structures

The multitude of structures include pumping plants, outlet gate structures, pressure sewers, intakes, sluices, culverts, sumps and emergency control structures, a number of which were built before 1960 during the POS. All of these structures, both above- and below-ground, are integral to the flood control system. They function contiguously to make the overall flood control structure manageable and keep dry the reclaimed and other adjacent lands by transferring water from the landside of the levees to the diversion channel within the overbank.

- Pumping plants are facilities that contain the pumps necessary for moving water from one location to another. The pumps operate over a discharge chamber, which diverts the water from the plant into the overbank area through an underground sluiceway that leads to the outlet gate structures. They are located adjacent to the levees on the land side.
- Outlet gate structures are outspill structures that carry storm water from the pressure sewers and pumping plant facilities out to the channelized river to avoid flooding. The tall concrete towers housing gate hoists are located on the inside of the overbank on the river side of the levees.
- Pressure sewers are systems of pipes that carry storm water runoff to higher elevations, or in the case of the Trinity River, to the diversion channel. They are located on both the river and land sides of the levees. The concrete structures house reinforced metal pipes to handle the water flow between the riverside and landside of the levees.
- Intake structures are large, grated concrete openings where water enters into the floodway's system of sluiceways and culverts. They are associated with the larger pumping plants and pressure sewers and are located in the watershed.
- Sluices are gravity-controlled and, along with the culverts, they are concrete water channels controlled by a gate utilized to direct water levels. They are located on the outer edges of the East and West Levees.
- Sumps (totally 272, according to a 1969 report) are drainage ditches that collect local storm water runoff and discharge it into culverts throughout the floodway system. They are located near the levees and often adjacent to pumping plants on the landside.
- Emergency control structures are concrete bulkheads that allow for the closure, if necessary, of two sanitary sewer lines that cross the East Levee in the event of excessive leakage or failure during periods of high water.

Statement of Significance

Criterion A

While THC's December 30, 2011 letter suggests that the Dallas Floodway may be eligible for the NRHP at the local level of significance under Criterion A in the area of Engineering, we affirm through this determination that the floodway **is not eligible under Criterion A in the area of Engineering** given the lack of noted innovative, unique or significant engineering associated with this infrastructure system. We believe this determination is supported in THC's assessments which concluded that the floodway would not be eligible under Criterion C. Despite extensive modifications and modern intrusions to the floodway, the Dallas Floodway **is eligible under Criterion A at the local level of significance in the area of Community Planning and Development** for its contribution to the physical growth and development of the City of Dallas. Its function as a flood control system facilitated the City's planning efforts, allowing residential and industrial growth along the Trinity River.

The floodway had two phases of development during its 1928 to 1959 POS. The first phase was the initial construction of the floodway between 1928 and 1932 that was partly based on Kessler's plan, plus the two Joint Plans of Reclamation of 1923 to 1931. The second phase was the USACE's program between 1953 and 1959 that repaired, modified, strengthened and partly re-aligned the levee system and added new pumping plants and pressure sewers. This latter phase allowed development of reclaimed lands during the 1940s and 1950s, including commercial development in the Trinity Industrial District and commercial and residential development in West Dallas.³

Criterion B

As discussed in greater detail in the November 29, 2011 letter from FHWA, the Dallas Floodway **is not significant under Criterion B** because it lacks sufficient integrity of association with significant historical figures. Several individuals who made important contributions to the history of Dallas were involved in the Dallas Floodway project, but they did not gain historical importance within their professional areas due to the project.

Criterion C

The floodway's ability to convey its engineering significance is compromised by its diminished integrity of materials, workmanship, setting and design (see details provided in the November 29, 2011 letter from FHWA to support this determination). The floodway is also not "exceptionally innovative in terms of engineering,"⁴ nor is it a precedent-setting flood control project, as it does not employ unique or distinctive design elements, materials, equipment or innovative technology. Per the recognition of the 1932 floodway components by the Texas section of the American Society of Civil Engineers, the floodway "did not incorporate any truly innovative civil engineering design."⁵ By comparison to other similar property types, the Miami River flood control project in Dayton, Ohio, was a precedent-setting project constructed between 1918 and 1922 and at the time was the largest public works project in the world.⁶ As such, the Dallas floodway **is not eligible under Criterion C in the area of Engineering.**

DALLAS FLOODWAY: DETERMINATION OF NRHP ELIGIBILITY AND EFFECT

NRHP Eligibility Determination

The Dallas Floodway within the City of Dallas extends roughly to Loop 12 at the Elm Fork to the north, IH 30 at the West Fork to the west and the AT&SF Railroad crossing over the Trinity River to the south. The POS for the resource dates from 1928 to 1959, the beginning and ending years of significant construction of the floodway.

The Dallas Floodway contains four essential physical features (levees, diversion channels, overbanks and structures) with an extensive set of character-defining features, all of which incrementally and continually have been encroached upon with substantial modifications and intrusions since 1960. The following elements associated with or in proximity to the floodway

³ In a separate survey report forwarded by TxDOT to the THC in a letter dated June 16, 2010, the Trinity Industrial District was determined to be not eligible to the NRHP under Criteria A, B or C. THC concurred with those findings on July 6, 2010.

⁴ USACE, *Intensive Engineering Inventory of the Dallas Floodway, Dallas, Texas*, August 2010, p. 5-68.

⁵ American Society of Civil Engineers, *National Historic Civil Engineering Landmark Nomination Form*, p. 3.

⁶ "The History of MCD Construction", <http://www.miamiconservancy.org/about/construction.asp>, accessed April 5, 2012 and January 6, 2011.

are examples of elements that do *not* contribute to the resource's significance and are *not* character-defining features of this system:

- Structures constructed outside of the resource's POS, such as the Hampton Road pumping plant, the pump house (1970s) added to the Able pumping plant and the Woodall Rodgers (1979) and Coombs Creek (1989) pressure sewers.
- New Frazier Dam installed at the Elm Fork diversion channel in 1965.
- Recreational facilities, such as Trammel Crow Lake Park and Twin Wells Park and Golf Course.
- Old West and Elm Fork Channels and the Old Trinity River Channel are outside of the levees and floodway and, based on input from USACE engineers⁷, are not essential functional components of the floodway system. These visible natural features are not designed, engineered structures or essential physical features of the floodway. As such, these features and their associated culverts are excluded from inclusion within the boundaries of the resource for listing on the NRHP. We base this determination on the consultation for eligibility and effects for TxDOT's Dallas Horseshoe Project (CSJ # 0196-03-205) on June 26, 2012 in which THC concurred that the Old Trinity River Channel and its associated culverts are not eligible for the NRHP.

The Dallas Floodway is **eligible under Criterion A at the local level of significance in the area of Community Planning and Development as an infrastructure system** for its contribution to the physical growth and development of the City of Dallas. Its function as a flood control system facilitated the City's planning efforts, allowing residential and industrial growth along the Trinity River.

NRHP Effects Determination

The Project initially included six alternatives developed from the planning and environmental scoping processes. These alternatives have been refined to four build alternatives and a no-build alternative still under consideration. All of the build alternatives are located approximately from south of the IH 35E/183 interchange to the US 175/SH 310 interchange for a distance of about nine miles. The preferred alternative for the project would be identified in the Final Environmental Impact Statement, which is currently anticipated in the summer of 2013.

The Criteria of Effect and the Criteria of Adverse Effect were applied to the Dallas Floodway. The Dallas Floodway was originally envisioned primarily as a utilitarian system to function for flood control. The floodway also was intended, secondarily, to be an integrated component of a broader community plan for the development of the City of Dallas. The original vision for the Dallas Floodway included construction of the necessary infrastructure to allow development outside of the levees, as well as recreational spaces, transportation facilities (including road and rail) and a civic center inside the levees.

While the floodway contributed to the City's development, it has undergone numerous alterations and modifications since the closing of its POS in 1959, impairing its integrity of materials and workmanship. THC's letter of December 30, 2011 states that infrastructure properties need only retain integrity of location, design, feeling and association to be eligible

⁷ Personal communication, 2010, and USACE, *Intensive Engineering Inventory of the Dallas Floodway, Dallas, Texas*, August 2010, Tables 5-1 and 5-4 and Figures 5-2, 5-10, 5-72, and 5-87.

under Criterion A and that those modern intrusions to the resource setting must be expected in an urban area.

Landside alignments:

- Alternative 2A – Irving/Riverfront (Industrial) Boulevard – Elevated includes reconstruction of the existing Irving/Riverfront (Industrial) Boulevard (Figures B1, B2). This alternative would primarily be elevated as a double-deck structure. Alternative 2A typically would consist of three lanes in each direction of travel with proposed tollway mainlanes. The elevated toll lanes would be approximately 17 feet above the ground pavement surface.

Project consultants developed Alternative 2A with the levee features in mind. They sought to avoid to the maximum extent possible any functioning components of the levee system in order to simplify engineering and to reduce the potential impact to the floodway's storm water carrying capacity (which would factor into determinations of practicability under Executive Orders 11990 and 11988 and coordination with the USACE for potential permit under Section 404 of the Clean Water Act and 33 USC 408 [i.e., Section 408] authorized in Section 14 of the Rivers and Harbors Appropriation Act of 1899). Alternative 2A would occur outside of the levees for the entirety of the alternative and would therefore pose **no adverse effect to the Dallas Floodway**.

- Alternative 2B—Irving/Riverfront (Industrial) Boulevard—At Grade generally follows the same alignment as Alternative 2A and the existing Irving/Riverfront (Industrial Boulevard), but would be constructed at-grade (Figures C1, C2). North of Corinth Street, one-way service roads would be constructed on each side of the tollway to compensate for the loss of arterial streets and provide local access.

Project consultants developed Alternative 2B with the levee features in mind. They sought to avoid to the maximum extent possible any functioning components of the levee system in order to simplify engineering and to reduce the potential impact to the floodway's storm water carrying capacity (which would factor into determinations of practicability under Executive Orders 11990 and 11988 and coordination with the USACE for potential permit under Section 404 and Section 408). Alternative 2B would occur outside of the levees for the entirety of the alternative and would therefore pose **no adverse effect to the Dallas Floodway**.

Floodway alignments:

- Alternative 3C (Combined Parkway—Further Modified) generally follows along the riverside of the east levee of the floodway (Figures D1, D2). Alternative 3C would include elevated ramps at the North Dallas Floodway Entry, the Woodall Rodgers Freeway connection, the Riverfront (Industrial) Boulevard connection, the South Dallas Floodway Exit and the IH-45 connection on the riverside of the parkway. South of the DART light rail bridge, Alternative 3C would be elevated on structure and offset about 50 feet from the riverside edge of the future USACE east levee extension (Lamar Levee). Approximately 1,500 feet south of MLK, alternative 3C would cross to the landside of the future Lamar Levee to follow the landside of the levee to IH-45 to follow city streets to US 175/SH 310.

The distance of the proposed facility to the levee walls would vary by up to 100 feet from the inside toe, based on the geometric constraints of the bridges and the need to accommodate future

improvements to the levees. A flood separation wall would be provided at existing bridge crossings, as the roadway would need to be depressed to allow sufficient clearance for vehicles traveling under the bridge structures. *Effects to historic bridges due to partial fill of supports and flood separation walls were previously coordinated with your agency, which concurred with TxDOT's no adverse effect determination on July 21, 2011.*

Only a small portion of the levees would be impacted by the construction of the roadway on the riverside, or inside slopes of the earthen structures. When measured horizontally, out of a total of 630.04 acres of levee area in the Dallas Floodway, only 73.03 acres – or 11.59 percent of total acreage – would be impacted by the roadway under Alternative 3C (Figure E). When measured based on the cross sections, approximately 60 percent of the 4.7-mile length of the roadway embankment adjacent to the east levee would be situated along the lower half of the levee wall (Figure F).

As Alternative 3C could not be selected as the preferred alternative without receiving concurrence from the USACE that the proposed action would be practicable under Executive Orders 11990 and 11988 and could not be constructed without a USACE issued permit under Section 404 of the Clean Water Act and approval under Section 408, *Alternative 3C would not substantially hinder the functionality of the floodway system.* Given the scale of the floodway, Alternative 3C would not result in a substantial reduction of the width of the floodway overbank. Current overbank crossing distance extends from a maximum of 3,071 ft. to a minimum of 1,473 ft. Under Alternative 3C, those figures would change from a maximum of 2,702 ft. to a minimum of 1,238 ft., for a difference of 369 ft. and 235 ft., respectively. This would reduce the maximum floodway overbank width by 12 percent and its minimum by 15 percent (Figure G).

Furthermore, the construction of a transportation facility within the floodway is in keeping with the original design of the floodway as an integrated multipurpose, floodwater conveyance, and recreation and transportation system. The floodway would retain its existing aspects of integrity of location, design, feeling and association and its historical significance should Alternative 3C be selected. As such, FHWA determines that Alternative 3C would result in **no adverse effect to the Dallas Floodway.**

- Alternative 4B (Split Parkway Riverside—Modified) would travel southwest from IH 35/SH 183 to enter the floodway west of Hampton/Inwood Road (Figures H1, H2). The mainlanes would be elevated over the levees to allow the required vertical clearance. The southbound lanes would run along the riverside of the west levee and the northbound lanes would run along the riverside of the east levee. The lanes would join together again just east of IH 35E. East of Corinth Street, Alternative 4B would follow Alternative 3C's route to US 175/SH 310.

The distance of the proposed facility to the levee walls would vary by up to 100 feet from the inside toe, based on the geometric constraints of the bridges and the need to accommodate future improvements to the levees. A flood separation wall would be provided at existing bridge crossings, as the roadway would need to be depressed to allow sufficient clearance for vehicles traveling under the bridge structures. *Effects to historic bridges due to partial fill of supports and flood separation walls were previously coordinated with your agency, which concurred with TxDOT's no adverse effect determination on July 21, 2011.*

Only a small portion of the levees would be impacted by the construction of the roadway on the riverside, or inside slopes of the earthen structures. When measured horizontally, out of a total of 630.04 acres of levee area in the Dallas Floodway, only 107.9 acres – or 17.13 percent of total acreage – would be impacted by the roadway under Alternative 4B (Figure I). When measured based on the cross sections, approximately 60 percent of the 4.7-mile length of the roadway embankment adjacent to the east and west levees would be situated along the lower half of the levee wall (Figure F; please note that the attached sectional drawings depict Alt. 3C, as Alt. 4B is similar in terms of roadway embankment height when compared to the levee).

As Alternative 4B also could not be selected as the preferred alternative without receiving concurrence from the USACE that the proposed action would be practicable under Executive Orders 11990 and 11988 and could not be constructed without a USACE issued permit under Section 404 and approval under Section 408, *Alternative 4B would not substantially hinder the functionality of the floodway system.* Given the scale of the floodway, Alternative 4B would not result in a substantial reduction of the width of the floodway overbank. Current overbank crossing distance extends from a maximum of 3,071 ft. to a minimum of 1,473 ft. Under Alternative 4B, those figures would change from a maximum of 2,747 ft. to a minimum of 1,218 ft., for a difference of 324 ft. and 255 ft., respectively. This would reduce the maximum floodway overbank width by 10 percent and its minimum by 17 percent (Figure J). Furthermore, the construction of a transportation facility within the floodway is in keeping with the original design of the floodway as an integrated multipurpose, floodwater conveyance, and recreation and transportation system. The floodway would retain its existing aspects of integrity of location, design, feeling and association and its historical significance should Alternative 4B be selected. As such, FHWA determines that Alternative 4B would result in **no adverse effect to the Dallas Floodway.**

Indirect Effects:

Induced development from the project would not adversely alter the physical appearance of the Floodway. As the Floodway was originally envisioned to enable the City of Dallas to develop commercial, industrial and residential properties in the flood zone of the Trinity River, future redevelopment or construction within those areas would not meaningfully contradict the function of the Dallas Floodway or its location, design, feeling and association. Furthermore, the original plans for the floodway included multiple uses within the floodway, such as recreation and transportation facilities, so any potential future construction of such facilities within the floodway would represent the realization of the original and continuing community planning for the area and would not meaningfully contradict the resource's setting, location, design, feeling and association under Criterion A.

Cumulative Effects:

Other reasonably foreseeable actions that may impact the Dallas Floodway include the following projects:

- City of Dallas Balanced Vision Plan (lakes, river realignment and recreational features)
- USACE Dallas Floodway Flood Risk Management Measures (levee raise and removal of abandoned sections of the AT&SF bridge)
- USACE Dallas Floodway Extension (future Lamar Levee and Cadillac Heights Levee)
- City of Dallas Able Pump Station improvements

- City of Dallas Pavaho Wetlands Project (wetlands construction east and west of the Sylvan Ave. bridge)
- TxDOT's Dallas Horseshoe Project (reconstruction of IH 30 and IH 35E bridges crossing the floodway)
- Jefferson Memorial Bridge crossing the floodway

As these and other projects that could impact the Dallas Floodway in the future could not be implemented without the concurrence of the USACE that the proposed actions would be practicable under Executive Order 11990 and 11988 and/or permitted under Section 404 of the Clean Water Act and Section 408, such projects could not substantially hinder the functionality of the floodway system. Given that the USACE projects are intended to improve floodway system performance and the USACE would require other reasonably foreseeable projects to demonstrate hydraulic neutrality and prove that they would not affect the structural integrity of the levees, or present a hindrance to floodway operations and maintenance, they would therefore pose no adverse cumulative effects upon the floodway and its engineered water drainage facilities.

Section 4(f) Applicability:

The build alternatives currently under consideration for the Trinity Parkway project occur within or in the vicinity of the Dallas Floodway, an NRHP-eligible property. In accordance with the Supplemental Appropriations Act of 2010 (Public Law No. 111-212), Section 405(b), FHWA is exempt from the requirements of Section 4(f) of the US Department of Transportation Act of 1966 for any highway project to be constructed “in the vicinity” of the Dallas Floodway. FHWA determined on January 23, 2012 that the exemption from the requirements of Section 4(f) established in Public Law No. 111-212 apply to all historic resources within the floodplain within the Trinity Parkway Project Area of Potential Effect (APE).

Conclusion:

FHWA determines the Dallas Floodway **eligible** for the NRHP under Criterion A at the local level of significance in the area of Community Planning and Development as an infrastructure system that contributed to the physical growth and development of the City of Dallas. Its function as a flood control system facilitated the City's planning efforts, allowing residential and industrial growth along the Trinity River.

Four build alternatives are currently under consideration for the Trinity Parkway Project. The landside alternatives (2A and 2B) would not directly affect the Dallas Floodway. There are no anticipated indirect or cumulative effects from these alternatives that would adversely affect the Dallas Floodway's location, design, feeling and association. As previously mentioned in THC's December 30, 2011 letter, modern intrusions to the resource setting must be expected in an urban area and as such, changing the existing Irving/Riverfront (Industrial) Boulevard, either at-grade or elevated, would not result in an adverse effect to the resource setting. Accordingly, FHWA determines that the landside alternatives would result in **no adverse effect** to the Dallas Floodway.

The floodway alternatives (3C and 4B) have a greater potential to affect the Dallas Floodway as these alternatives would be constructed in part within the floodway. Based on measures taken to avoid and minimize harm to floodway resources and steps that would be taken to comply with USACE permit conditions, the floodway alternatives would not result in an adverse effect to the

functionality; to the aspects of integrity of location, design, feeling and association; and to the historical significance of the Dallas Floodway. Accordingly, FHWA determines that the floodway alternatives would result in **no adverse effect** to the Dallas Floodway.

Based on the significance of the resource, its intended function, its current integrity and recent projects that have undergone review by THC for effect to historic resources, we determine that the proposed Trinity Parkway Project undertaking would have **no adverse effect** on the Dallas Floodway. *Please note that with your concurrence of no adverse effect to the Dallas Floodway, FHWA now re-affirms, as indicated in your signed concurrence of July 21, 2011, that the only outstanding effects issue in the Trinity Parkway Project pertaining to historic properties is the design of the north approach spans of the Continental Viaduct under Alternative 3C. If that alternative is selected, FHWA will continue consultation with THC on this issue.*

We request your written concurrence with these determinations of eligibility and effects within 30 days of receiving this letter. We also seek to have a meeting with you and your staff to develop guidance for how this eligible resource should be managed consistent with a standard treatment plan for future projects with the potential to affect it. If you have any questions or comments concerning these determinations, please contact Anita Wilson (512-536-5951, anita.wilson@dot.gov) or Barbara Maley (214-224-2175, barbara.maley@dot.gov).

Sincerely,



Salvador Deocampo
District Engineer

Enclosures

**CONCUR
DALLAS FLOODWAY
NO ADVERSE EFFECT
Associated with the Trinity Parkway Project (CSJ 0918-45-121)**

NAME: _____ **DATE:** _____
for: Mark Wolfe
State Historic Preservation Officer

- ecc. Halff Associates, Jason Diamond
- NTTA, Elizabeth Mow
- HNTB, Dan Chapman
- Preservation Dallas, Katherine Seale
- Dallas CLG, Mark Doty
- Dallas Co. Historical Commission, Ann Spillman
- Amaterra Corp., Tom Eisenhour, Kurt Korfmacher
- Historic Bridge Foundation, Kitty Henderson

bcc. Dallas District, Dan Perge
Dallas District, Stan Hall
ENV/PD, Scott Ford
ENV/PM, Lisa Hart
ENV/HIST, Bruce Jensen
ENV/HIST, Mario L. Sanchez

TEXAS HISTORICAL COMMISSION
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26 March 2013

Salvador Deocampo, District Engineer
Federal Highway Administration
Texas Division Office
300 E. 8th Street, Room 826
Austin, Texas 78701

Re: *Project review under Section 106 of the National Historic Preservation Act of 1966*
Determination of Eligibility and Effects—Dallas Floodway; Trinity Parkway Project: from IH 35 E/SH 183 to US 175/SH
310, Dallas County, Texas (FHWA CSJ 0918-45-121)

Dear Mr. Deocampo,

Thank you for your recent letter about the above-referenced Trinity Parkway Project and the impacts of Alternatives 2A, 2B, 3C, and 4B on the Dallas Floodway, a system that falls under the oversight of the U.S. Army Corps of Engineers (USACE). This letter serves as official comment from Texas' State Historic Preservation Officer, the Executive Director of the Texas Historical Commission (THC).

THC staff led by Linda Henderson reviewed the materials provided. We concur that the Dallas Floodway is **eligible** for listing in the National Register of Historic Places (NRHP) under Criterion A at the local level of significance in the area of Community Planning and Development. Although the *feeling* of the Floodway may be altered by Alternatives 3C and 4B of the Trinity Parkway, we also concur that the project as proposed will not diminish other aspects of the Floodway's historic integrity in a way that would lessen its ability to convey its significance. We appreciate the figures you provided that outline the percentage of levee impacted.

We do concur that the project's four alternatives as proposed will have **no adverse effect** on the NRHP-eligible Dallas Floodway. We cannot concur, though, that the issuance of USACE permits for this and future projects and the implication therein of ensured Floodway functionality would constitute a "no adverse effect" determination. Projects would need to be assessed individually for their effects on the Floodway. If Alternative 3C is chosen, we will continue consultation related to effects of the design on Continental Viaduct.

Thank you for your continued coordination of this project and for your commitment to identifying and protecting Texas' irreplaceable historic and cultural resources. Please contact Linda Henderson with any questions about this project: 512/463-5851 or linda.henderson@thc.state.tx.us.

Sincerely,



Mark Wolfe, State Historic Preservation Officer

MW/lch

Cc: Ann Spillman, Dallas County Historical Commission
Mark Doty, City of Dallas
Mario Sanchez, Texas Department of Transportation
David Preziosi, Preservation Dallas





December 9, 2013

SECTION 106: DETERMINATION OF ELIGIBILITY (Trinity Parkway Expanded Area)

Dallas County

CSJ: 0918-45-121

Trinity Parkway Project: from IH-35E/SH-183 to US-175/SH-310

Ms. Linda Henderson
History Division
Texas Historical Commission
P.O. Box 12276
Austin, Texas 78711

Dear Ms. Henderson:

In accordance with 36 CFR 800, we are continuing consultation for the above-referenced project, which constitutes a federal undertaking requiring interstate access approval from the Federal Highway Administration (FHWA). The purpose of this correspondence is to request agency review regarding the eligibility of surveyed properties for listing in the National Register of Historic Places (NRHP).

PREVIOUS AND CURRENT COORDINATION:

Section 106 eligibility and effects consultation for resources within the proposed project's area of potential effects (APE) started in 2000 and has continued into 2013. The latest round of coordination with your agency was completed through an FHWA letter dated February 27, 2013 regarding effects by the proposed project to the eligible Dallas Floodway. In a letter dated March 26, 2013, the Texas Historical Commission (THC) concurred with FHWA's finding that the construction of Trinity Parkway would have no adverse effect to the historic floodway.

The current coordination is based on the need to address the merging/transition of Trinity Parkway with the existing IH-35E and SH-183 facilities. In this expanded or transitional area, the APE extends 150 ft. from the existing/proposed right-of-way (ROW) along IH-35E and SH-183. This letter summarizes the design changes required for Trinity Parkway's transition onto IH-35E and SH-183, and discusses the surveys previously undertaken in this expanded area as part of Project Pegasus (CSJ 0009-11-181 etc.) and the SH-183 Corridor Improvements (CSJ 0094-03-060 etc.). Previous surveys include:

- Project Pegasus Historic Resources Survey Report, March 2004*
- Cultural Resources Inventory of SH-183 Study Corridor, April 2003*
- Addendum to the Cultural Resources Inventory Report for the SH-183 Improvements, 2005*

TRINITY PARKWAY DESIGN CHANGES:

Originally, Project Pegasus adjoined Trinity Parkway's northern terminus at the IH-35E/SH-183 interchange, as well as the southern terminus of the SH-183 Corridor Improvements Project. Because of Project Pegasus' deferral due to funding requirements, a non-tolled gap was created between the SH-183 project, which includes concurrent flow managed HOV lanes, and the proposed Trinity Parkway. Additionally, without the construction of Project Pegasus, Trinity Parkway must be adapted to transition onto the existing IH-35E facility. In response to this gap, the design of Trinity Parkway in this area was modified to accommodate its transition onto IH-35E and SH-183 as follows:

Design Changes at IH-35E:

In order to make room for connecting ramps and maintaining reasonable existing access, IH-35E would be reconstructed from south of Mockingbird Lane to north of Empire Central Drive. To better facilitate local street access through this heavily congested area, Mockingbird Lane and Empire Central Drive overpasses would be reconstructed, as well as intersection improvements at Commonwealth Drive and IH-35E. Reconstruction of a portion of the northbound IH-35E frontage road between Mockingbird Lane and Empire Central Drive would also be required. In addition, design changes include construction of six ramps along IH-35E: three in the northbound and three in the southbound direction. These ramps are consistent with the previously approved Project Pegasus schematics.

Design Changes at SH-183:

In order to make room for ramps connecting Trinity Parkway and SH-183 due to the gap created by the removal of Project Pegasus, the SH-183 mainlanes and frontage roads would be reconstructed from IH-35E to Empire Central Drive. At Empire Central, the proposed project would match the ultimate build of the previously approved SH-183 improvements project. Mockingbird Lane at SH-183 would be widened to improve local access between SH-183 and IH-35E. SH-183 would also be reconstructed as it merges with IH-35E in order to avoid unsafe existing merging movements. Exit and entrance ramps would also be constructed at Mockingbird Lane and Empire Central Drive.

EFFORTS TO IDENTIFY HISTORIC PROPERTIES -- PROJECT PEGASUS AND SH-183 CORRIDOR IMPROVEMENTS:

In 2004, survey efforts for Project Pegasus identified 42 pre-1960 properties for the entire project limits extending along IH-30 from Sylvan Avenue to IH-45 and along IH-35E from Eighth Street to Empire Central Drive. Eleven properties were found to be either listed or eligible to the NRHP in the survey, which was coordinated in a letter to THC dated November 17, 2004. Your agency concurred with those findings on November 23, 2004. *No historic-age properties to the north of the SH-183/IH-35E interchange, which is where Trinity Parkway's newly expanded area is located, were identified in the Pegasus survey.*

To ensure that historic-age properties were adequately identified in the previous survey, qualified TxDOT personnel re-surveyed the portion of Project Pegasus now encompassed by Trinity Parkway's expanded area extending to Regal Row along IH-35E. Four pre-1966 properties (I.D. #s 35, 39, 42, 43) were identified in this portion, as well as two other properties (I.D. #s 30, 31) on or adjacent to Mockingbird Lane (see attached Site Plan with numbered sites and individual photograph sheets). The expanded area mainly encompasses late 1950s and 1960s office complexes and warehouse-type Modern style buildings. Due to alterations, lack of architectural distinction, and lack of association with significant historic events or persons of transcendent importance, these properties are determined **not eligible** to the NRHP under Criteria A, B or C.

The SH-183 project corridor extending from SH-360 to IH-35E was surveyed in 2003 with a finding of 106 pre-1964 historic-age properties that included an urban mix of single family residences and office facilities built between the 1950s and the 1990s. The survey was coordinated with your agency in a letter dated July 11, 2003 with a signed concurrence on July 17, 2003 that none of the properties were eligible to the NRHP. The project received a Finding of No Significant Impact (FONSI) from FHWA in February 2004. *Only a small portion of the southern end of the 10-mile-long SH-183 improvements project falls within Trinity Parkway's expanded area (see attached Site Plan).*

Due to design changes, the SH-183 project was re-coordinated with your agency in a letter dated August 12, 2005 in which 26 additional pre-1964 properties were evaluated by TxDOT historians as **not eligible** to the NRHP. Your agency concurred with those findings in a stamped concurrence dated August 29, 2005. Properties were deemed not eligible based on lack of association with significant historical figures or events, as well as lack of distinction as to their type, period, design, or method of construction. Since continuous activity has taken place from the issuance of the FONSI, the previous surveys and associated coordination with your agency remain valid. As such, the 18 numbered parcels with historic-age properties along SH-183 shown in the attached Site Plan, all of which were coordinated with your agency, remain as **not eligible** to the NRHP.

CONCLUSION:

Based on the findings of TxDOT historians, we determine that there are no historic properties in the APE of expanded area of Trinity Parkway. *With your concurrence of no historic properties present, we re-affirm that the only outstanding issue in the Trinity Parkway Project that remains to be consulted with your agency is the design of the north approach spans of the Continental Viaduct if Alternative 3C is selected by FHWA in the anticipated Record of Decision.*



Texas Department of Transportation[®]

DEWITT C. GREER STATE HIGHWAY BLDG. • 125 E. 11TH STREET • AUSTIN, TEXAS 78701-2483 • (512) 463-8585

January 16, 2014

Mr. Jimmy Arterberry, THPO
Comanche Nation of Oklahoma
Comanche Nation Office of Historic Preservation
P.O. Box 908
Lawton, OK 73502

RE: CSJ: 0918-45-121; Trinity Parkway, from IH 35E / SH 183 to US 175 / SH 310, Managed Lanes on New Location, Section 106 Continuing Consultation; Dallas County, Dallas District

Dear Mr. Arterberry:

The above referenced transportation project is being considered for construction by the Federal Highway Administration (FHWA) and the Texas Department of Transportation (TxDOT). Environmental studies are in the process of being conducted for this project. The purpose of this letter is to contact you in order to continue Section 106 consultation with your Tribe pursuant to stipulations of the First Amended Programmatic Agreement among the Federal Highway Administration, the Texas Department of Transportation, the Texas State Historic Preservation Officer, and the Advisory Council on Historic Preservation Regarding the Implementation of Transportation Undertakings (PA-TU). The project is located in an area that is of interest to your Tribe.

Section 106 consultation for this project was initiated by correspondence dated August 14, 2002. At that time, three projects were identified, which included Trinity Parkway, Project Pegasus, and SH 183. Consultation for Trinity Parkway was continued with a letter and archeological report sent on January 7, 2010. The information included the results of archeological investigations and discussion of changes to the project design. We are continuing consultation with this letter to provide information and recommendations for recent design changes that would affect the size of the area of potential effects (APE). Maps that show the proposed project area are enclosed, as well as a map of the state that indicates the location of Dallas County.

In earlier consultation, we indicated that the North Texas Tollway Authority (NTTA) would construct an approximately 9-mile-long, limited-access toll facility [Trinity Parkway] from

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Re: Section 106 Consultation, National Historic Preservation Act;
Proposed Texas Department of Transportation Project, Dallas District
CSJ: 0918-45-121; Trinity Parkway, from IH 35E / SH 183 to US 175 / SH 310,
Managed Lanes on New Location, Section 106 Continuing Consultation; Dallas County

Interstate Highway (IH) 35E / State Highway (SH) 183 interchange to the United States Highway (US) 175 / SH 310 interchange in the City of Dallas. The area of potential effects (APE) for the proposed project would include estimated right of way (ROW) ranging from 264 to 490 acres. Potential excavation areas within the floodway, that could serve as a source of borrow material for roadway embankment, may disturb an estimated maximum surface area of approximately 335 acres. The proposed average depths of excavation within the potential floodway borrow areas would range from 3 to 18 feet below ground surface. The APE is located in an area that is either heavily developed or disturbed by previous floodway and levee construction.

Identified as the Expansion Area, the changes to the APE not previously investigated consist of the existing IH 35E ROW, from Empire Central Drive to Regal Row (see enclosed map). The ROW in this area is approximately 300 feet wide. The ROW is completely covered by pavement and medians associated with the existing IH 35E main lanes, access roads, and ramps. The areas adjacent to the existing ROW consist of developed parcels containing office and commercial buildings and associated parking areas. The maximum depth of ground disturbing activities in the Expansion Area would be associated with pier locations for connecting ramps. The required depths for piers would be determined based on geotechnical analysis to be performed during final design. Based on established engineering practices, the maximum depth of construction should be 60 feet.

The APE for archeological resources is the footprint of the existing ROW and proposed expansion to the maximum depth of impact. For the Expansion Area, the footprint would be 0.5 mile long by and 300 feet wide. An additional 21 acres of new ROW would be required for the Expansion Area. The entire Trinity Parkway reliever route project totals about 559 acres within a project length of 8.79 miles. For the purposes of this cultural resources review, potential impacts are considered within an area that includes the stated APE, as well as a 50-foot lateral buffer to account for potential alterations to the proposed APE included in the final project design. Consultation would be continued if potential impacts extend beyond this buffer, based on the final design. The maximum depth of impacts expected to be no more than 60 feet based on current engineering practices.

A recent review of the Texas Archeological Sites Atlas (Atlas), completed on December 17, 2013, shows 6 previously recorded archeological sites (41DL21, 41DL22, 41DL324, 41DL55, 41DL56 and 41DL57) located within a 1.0 kilometer (0.62 mile) radius of the Expansion Area. None of the sites are mapped within the APE. All six of the sites are prehistoric open camps reported by Forrest Kirkland in 1941, except for 41DL324, which is the historic Record Bridge crossing. The Kirkland camp site locations in part were plotted where a golf course and country club were later built. Several archeological investigations have been conducted in connection with other transportation projects in the area. None of these investigations located archeological historic properties (36 CFR 800.16(l)) that would be impacted by the proposed Trinity Parkway project.

Re: Section 106 Consultation, National Historic Preservation Act;
Proposed Texas Department of Transportation Project, Dallas District
CSJ: 0918-45-121; Trinity Parkway, from IH 35E / SH 183 to US 175 / SH 310,
Managed Lanes on New Location, Section 106 Continuing Consultation; Dallas County

The geology of the APE consists of the Upper Cretaceous Eagle Ford formation in the uplands. Pleistocene fluvial terrace deposits and Holocene alluvium occur along the drainages. The Upper Cretaceous-age formations are considered too early for the currently accepted time of human occupation in this area, but the Holocene deposits offer a potential for cultural deposits.

Soils in the project area reflect the geology, in that soils in the uplands are derived from Cretaceous age Eagle Ford formation while soils derived from Holocene-Pleistocene deposits are present in lowland areas. The Expansion Area has only one soil mapped throughout the APE, namely Trinity-Urban Land Complex. Soils with the modifier 'urban land complex' are disturbed soils mixed with other, nonsoil materials such as construction debris. Trinity soils are Holocene age clayey alluvium derived from mixed sources.

In summary, the majority of the Expansion Area has been previously investigated as part of the Trinity Parkway Project, Project Pegasus, and the SH 183 Project and determined to not contain archeological historic properties. The APE has been disturbed by previous activities, including urbanization, road construction, installation of utilities, and modern land management practices. Based on the results of the adjacent previous surveys, the degree of ground disturbance, and the lack of intact soils within the existing ROW and adjacent areas along IH 35E, the Expansion Area not previously investigated has a very low probability of containing intact archeological historic properties. The integrity of any archeological sites which do occur within the APE will be poor. Any sites in the APE will lack sufficient integrity of location, association, and materials to be able to address important questions of prehistory or history.

Based on the information presented above, ***TxDOT provides the following findings and recommendations for this proposed project:***

- ***that no archeological historic properties (36 CFR 800.16(l)) would be affected by this project;***
- ***that a buffer zone of 50 feet beyond the APE be considered as part of the cultural resources evaluation;***
- ***that no further archeological investigation is warranted at this time.***

According to our Programmatic Agreement under Section 106 of the National Historic Preservation Act, we are writing to request your comments on historic properties of cultural or religious significance to your Tribe that may be affected by the proposed project APE and the area within the above defined buffer. Any comments you may have on the TxDOT recommendation should also be provided. Please provide your comments within 30 days of receipt of this letter. Any comments provided after that time will be addressed to the fullest extent possible. If you do not object with a recommendation of "no historic properties affected," please sign below to indicate your concurrence. In the event that further investigations by our office disclose the presence of archeological deposits, we will contact your Tribe to continue consultation.

Thank you for your attention to this matter. If you have questions, please contact Barbara Hickman (TxDOT Archeologist) at 512/416-2637 (email: Barbara.Hickman@txdot.gov) or me at 512/416-2638 (email: Sharon.Dornheim@txdot.gov). When replying to this correspondence by

Re: Section 106 Consultation, National Historic Preservation Act;
Proposed Texas Department of Transportation Project, Dallas District
CSJ: 0918-45-121; Trinity Parkway, from IH 35E / SH 183 to US 175 / SH 310,
Managed Lanes on New Location, Section 106 Continuing Consultation; Dallas County

US Mail, please ensure that the envelope address includes reference to the Archeological
Studies Branch, Environmental Affairs Division.

Sincerely,



Sharon Dornheim
Staff Archeologist / Consultation Coordinator
Environmental Affairs Division

Concurrence by:

Date:

Attachments

cc w/attachments:

Dan Perge, TxDOT Dallas District Environmental Coordinator;
Scott Ford, ENV-PD TxDOT;
Barbara Hickman, ENV-ARCH TxDOT;
ENV-ARCH Project File / ENV-ARCH ECOS

The attached letter was sent to the following tribes on January 16, 2014 :

Mr. Jimmy Arterberry, THPO
Comanche Nation of Oklahoma
Comanche Nation Office of Historic Preservation
P.O. Box 908
Lawton, OK 73502

Ms. Amie Tah-Bone
Museum Director and NAGPRA Representative
Kiowa Indian Tribe of Oklahoma
P.O. Box 369
Carnegie, OK 73015

Ms. Sandra Platero, President
c/o Holly Houghten
Mescalero Apache Tribe
P.O. Box 227
Mescalero, NM 88340

Mr. Don Patterson, President
Tonkawa Tribe of Indians of Oklahoma
1 Rush Buffalo Rd
Tonkawa, OK 74653

[emailed to Miranda Myer]

Ms. Terri Parton, President
Wichita and Affiliated Tribes
P.O. Box 729
Anadarko, OK 73005

[sent by Email; copy to Gary McAdams]

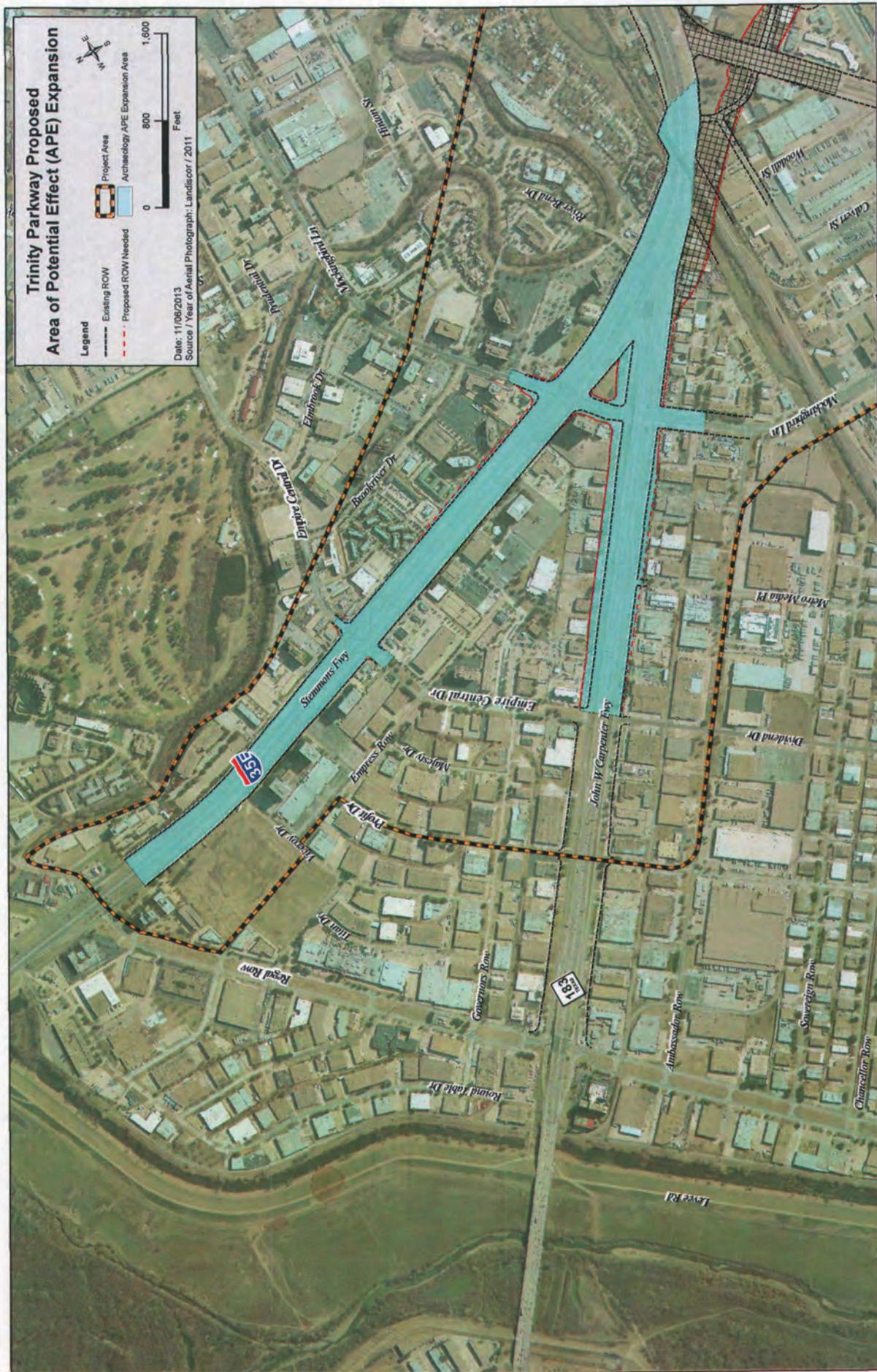
County Location Map

County: Dallas

Project CSJ: 0918-45-121

Project Name: Trinity Parkway, from IH 35E / SH 183 to US 175 / SH 310,
Managed Lanes on New Location, Section 106 Continuing Consultation; Dallas
District







MEMO

January 22, 2014

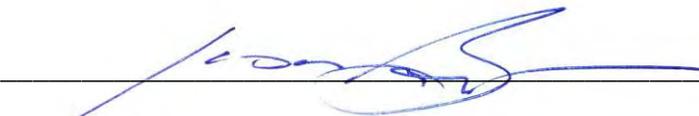
To: 850 File, Various Road Projects, Various CSJs, Various Districts

From: Scott Pletka, Ph.D.

Subject: Internal review under the First Amended Programmatic Agreement Among the Federal Highway Administration, the Texas Department of Transportation, the Texas State Historic Preservation Officer, and the Advisory Council on Historic Preservation Regarding the Implementation of Transportation Undertakings (PA-TU), and internal review under the Memorandum of Understanding (MOU) Between the Texas Historical Commission and the Texas Department of Transportation

Listed below, are the projects reviewed internally by qualified TxDOT archeologists from 01/16/14 to 01/22/14. These projects either do not warrant survey as a result of a low probability of encountering archeological historic properties and State Archeological Landmarks, or the projects were inspected by survey or impact evaluation and do not warrant further work. As provided under the PA-TU, consultation with the Texas State Historic Preservation Officer is not necessary for these undertakings. As provided under the MOU, the proposed projects do not require individual coordination with the Texas Historical Commission.

CSJ	DISTRICT	ROADWAY	WORK PERFORMED
0490-04-037	Amarillo	SH 70	Recon Survey
0920-02-087	Beaumont	CR 2331	No Survey
1392-01-035	Dallas	FM 1378	No Survey
0918-45-121	Dallas	Trinity Parkway	No Survey
2374-04-060	Dallas	IH 20	No Survey
0902-20-104	Fort Worth	CR 2560	No Survey
0902-38-076	Fort Worth	Earp Road	No Survey

Signature  Date: 01 / 22 / 2014
 For FHWA and TxDOT

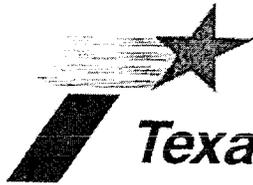
cc: ECOS Data Entry; PD; ENV_ARC: PA File Table Template for Weekly List Memo.doc

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**Section 106 Coordination for SH-183 and Pegasus Project
Applicable for Trinity Parkway North-End Transition**

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Texas Department of Transportation

DEWITT C. GREER STATE HIGHWAY BLDG. • 125 E. 11TH STREET • AUSTIN, TEXAS 78701-2483 • (512) 463-8585

CC: CRM 7-7-03
SBLW

1 July 2003

Texas Antiquities Code and Section 106 Coordination

Dallas County

CSJ 0009-11-181, 0196-03-205, 0196-03-199, 0442-02-132

IH 30 from IH 35E to IH 45, IH 35E at IH 30, IH 35E from IH 30 to SH 183, IH 35E from 8th St to IH 30

Texas Department of Transportation
District No. 18
JUL 10 2003

James E. Bruseth, Ph.D.
Department of Antiquities Protection
Texas Historical Commission
P.O. Box 12276
Austin, Texas 78711

TxDOT - ENV
JUL 07 2003
CRM

Dear Dr. Bruseth:

The proposed project will be undertaken with state and federal assistance. As required by the National Historic Preservation Act of 1966, as amended, and by Senate Bill 58, The Antiquities Code of Texas, and our Memorandum of Understanding with your agency, we are coordinating the proposed project with your office.

Melissa Green and Duane E. Peter of Geo-Marine, Inc. have submitted a draft report entitled, *Assessing the Potential for Intact Archeological Deposits Within the Pegasus Project: Reconstruction of the IH 30/IH 35E Corridor (Canyon/Mixmaster/Lower Stemmons) in Dallas County, Texas* for review. A copy of the report is enclosed. A copy of the project description with route schematics from the website www.projectpegasus.org is attached as well.

The report indicates that while some potential for buried cultural deposition remains in the project area, the likelihood of identifying deeply buried prehistoric deposits by coring or trenching is slight. Ms. Green therefore recommends no archeological survey before construction begins. More potential exists for encountering historic remains in the project area. The project may affect the Houston Street Viaduct (National Register listed) and site 41DL377, a historic landfill which contains material dating from the period 1880s to 1910. Green and Peter recommend avoidance of the Houston Street Viaduct and monitoring near 41DL377. Monitoring for historic archeological deposits is recommended also at "specific areas along the bluff edges and in the Canyon area where the use of extensive fill materials has hidden and sealed early in situ historic deposits (e.g., residential yards, privies, trash deposits, etc.)."

We request your review of the report and concurrence with Geo-Marine's recommendations for Project Pegasus. If you have any questions, please call Barbara Hickman at 512-416-2637 or e-

HALL

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Dr. James E. Bruseth
(CSJ 0009-11-181, etc. Project Pegasus)

Page 2

1 July 2003

mail bhickman@dot.state.tx.us.

Sincerely,

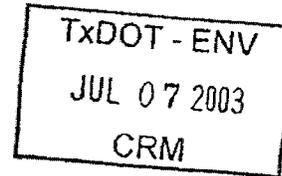
Barbara J Hickman
Barbara J Hickman, Staff Archeologist
Archeological Studies Program
Environmental Affairs Division
BJH:bjh

G.R. Dennis Price
G.R. Dennis Price, Staff Archeologist
Archeological Studies Program
Environmental Affairs Division

Attachment

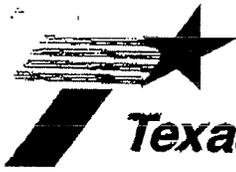
cc: Ms. Melissa Green
Geo-Marine, Inc.
550 East 15th Street
Plano TX 75074

bcc: Dallas District, attn: Mr. Dan Perge (no att.)
ERG (no att.) CRM/SBW BJH (no att.)



Concurrence by: *Mark H. Palmer*
For Lawrence Oaks, State Historic Preservation Officer

7-3-03
Date



Texas Department of Transportation

DEWITT C. GREER STATE HIGHWAY BLDG. • 126 E. 11TH STREET • AUSTIN, TEXAS 78701-2483 • (512) 463-8585

cc: CRM 7-2-03
88W

July 11, 2003

SECTION 106: IDENTIFICATION OF HISTORIC PROPERTIES

Tarrant and Dallas Counties

CSJs# 0094-03-060; 0094-03-065; 0094-07-015; 0094-07-020

SH 183 from SH 360 to IH 35E

RECEIVED

JUL 15 2003

TEXAS HISTORICAL COMMISSION

Mr. Bob Brinkman
History Division
Texas Historical Commission
P.O. Box 12276
Austin, Texas 78711

Post-It® Fax Note	7671	Date	8/11/03	# of pages	2
To	NASSER ASKARI	From	M. SANCHEZ		
Co./Dept.	DAL. DISTR.	Co.	ENV/CRM		
Phone #		Phone #			
Fax #	214/320-9470	Fax #			

Dear Mr. Brinkman:

In accordance with the Programmatic Agreement (PA) among TxDOT, FHWA, the Advisory Council on Historic Preservation and the THC, this letter initiates Section 106 consultation for the proposed undertaking. We hereby initiate coordination on the results of a historic structure survey of the project area to identify properties potentially eligible for listing in the National Register of Historic Places (NRHP).

The federally funded undertaking will reconstruct and improve a 10-mile segment of SH 183 through portions of the cities of Fort Worth, Euless, Irving, and Dallas in Tarrant and Dallas Counties, Texas. SH 183 is a six-lane divided freeway with two-lane frontage roads on either side. The proposed improvements consist of widening the facility to eight main lanes, and adding 2-3 reversible HOV lanes. The project will be executed with the purchase of additional right-of-way (ROW).

In accordance with the provisions of 36 CFR 800, Texas Department of Transportation personnel conducted a cultural resources survey to identify properties potentially eligible for listing in the National Register of Historic Places extending to 1964, based on a 2009 project implementation schedule, while allowing for a five-year buffer. The project area includes a contemporary urban mix of single family residences and commercial and industrial establishments constructed between the early 1950s and 1990s. One historic age family cemetery is also included in the area of potential effects (APE).

The survey identified 106 pre-1964 sites to be 50 years of age or older within the APE, which for this project was determined to be 150 feet from either side of the proposed ROW (see-attached cultural resources inventory).

I have evaluated these 106 properties through application of the Criteria of Eligibility for listing in the National Register of Historic Places and I have determined that they are **not eligible** for inclusion in the register. The buildings do not have associations with significant historical figures or events. The structures represent

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common vernacular types that do not clearly reflect the distinctive characteristic of type, period, method of construction, work of a master or high artistic value.

Although the Nichols Park and Plymouth Parks neighborhoods are cohesive, easily identifiable areas, they failed to meet NRHP criteria for eligibility as historic districts. Many of the structures evidence numerous alterations to their original configuration and materials, including conversion of signature carports into enclosed garages or rooms, changes to exterior materials, and removal of original windows and doors.

The Tompkins Family Cemetery (Site ID #2) does not contain persons of transcendent importance. It does not have distinctive landscape design features or monuments of funerary art. Historical research does not indicate that the family had a significant role in the settlement of the county or its communities.

The bridges along SH 183 or crossing over the facility are also not eligible to the NRHP. Although their dates of construction extend from the 1940s to the early 1960s, all these structures were altered in the 1970s and in the 1980s according to agency records.

We request your written concurrence with these determinations of eligibility within 30 days of receiving this letter. If you need further information, feel free to call me at 416-2770.

Sincerely,

Mario L. Sanchez

Mario L. Sanchez, Ph.D., R.A.
Historical Architect
Environmental Affairs Division

Attachments

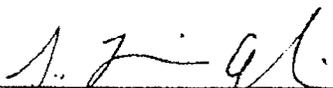
NOT ELIGIBLE
for listing in the
National Register of Historic Places
PROJECT MAY PROCEED
by *R. B. B.*
for E. L. ...
State Historic Preservation Officer
17 Jul 2003

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JUL 21 2003
CRM

ETS
ARCHEOLOGICAL COORDINATION
Projects that do not warrant Archeological Survey
 (Section 106 and ANTIQUITIES CODE OF TEXAS)
 From : 8/3/2006 To: 8/9/2006

COUNTY	DISTRICT	PROJECT	CSJ	*F30/T20 Concur, no further work	*F10/T10 Unable to Concur
Bandera	San Antonio	SH 16 and FM 1341	6133-08-001		
Bexar	San Antonio	Kitty Hawk Drive	0915-12-288		
Cameron	Pharr	FM 802	1140-02-032		
Cameron	Pharr	FM 1479	1425-04-021		
Comanche	Brownwood	SH 16	0288-02-026		
Dallas	Dallas	SH 183	0094-03-065		
Limestone	Waco	FM 339	0898-01-020		
Polk	Lufkin	FM 357	2117-03-012		
Potter	Amarillo	FM 2381	2494-01-010		
Travis	Austin	SH 71	0700-03-089		

Number of Projects: 10



 F. Lawrence Oaks
 State Historic Preservation Officer and Executive Director

8/11/06

 Date