



**REQUEST FOR QUALIFICATIONS  
BASTROP STATE PARK TRAIL  
PROJECT NUMBER: 14-1041**

The City of Bastrop is seeking professional engineering and landscape architecture services for the design of a 1.0-mile multi-use pedestrian path. Anticipated deliverables include: complete plans, specifications, and cost estimates for construction, an environmental impact analysis, and a drainage study. All documents will be reviewed by the Texas Department of Transportation (TxDOT) and must meet all TxDOT requirements. The trail shall be designed to the standards set forth by Guide for the Development of Bicycle Facilities, 4<sup>th</sup> Edition published by the American Association of State Highway and Transportation Officials (AASHTO), or additional standards as determined appropriate by the City of Bastrop.

**CLOSING DATE:** August 25, 2017

**CLOSING TIME:** 3:00 P.M.

Statement of Qualifications (SOQ), original, **four (4) COPIES**, and a digital copy, subject to the Terms and Conditions of this Request and other contract provisions, will be received by the **City Secretary at 1311 Chestnut Street, Bastrop, Texas 78602**, before the closing time and date shown above. **Qualifications must be returned in a SEALED envelope, addressed to the City Manager, City of Bastrop and have the Project name, number, closing date and company name clearly marked on the outside envelope.** The City will retain late submittals; however, they will not be opened or considered in the evaluation of the Qualifications. A Statement of Qualifications (SOQ) may be withdrawn at any time prior to the official opening. An SOQ may not be altered or amended after the closing date and time without the recommendation and approval of the City Manager.

THE UNDERSIGNED, BY HIS/HER SIGNATURE, REPRESENTS THAT HE/SHE IS AUTHORIZED AND HEREBY CERTIFIES FULL COMPLIANCE WITH THE TERMS AND CONDITIONS, SPECIFICATIONS AND SPECIAL PROVISIONS OF THE REQUEST OF QUALIFICATIONS. BY SIGNING BELOW, YOU SIGNIFY THAT YOU HAVE READ THE ENTIRE DOCUMENT AND AGREE TO THE TERMS AND CONDITIONS THEREIN.

Company Name and Address	Company's Authorized Agent
	Signature
	Name and Title (Typed or Printed)
Federal ID Number (TIN) or SSN and Name	
Telephone No.	Date
Fax No.	Email address

# INVITATION

The City of Bastrop ("COB"), is issuing a Request for Qualifications (RFQ) for professional engineering and landscape architecture services for the design of a 1.0-mile segment of the State Park Trail Project ("Project"). The Project has a defined scope and will require the services of a qualified engineering and landscape architecture firm ("Consultant") to develop the Project requirements. Construction of the Project is partially funded through the TxDOT STP-MM program, and is included in the Capital Area Metropolitan Planning Organization (CAMPO) Transportation Improvement Program (TIP). It is the policy of COB that the selection of a Consultant to provide professional services shall be based on demonstrated competence and on the professional qualifications necessary for the satisfactory performance of the services required. COB invites qualified Consultants to respond to this RFQ.

## Scope of Services

COB requires professional engineering and landscape architecture services to design a 1.0-mile multi-use pedestrian path following TxDOT and AASHTO standards.

The primary Project requirements include, but are not limited to:

1. Drainage Study (and additional permitting if required)
2. Supplemental information related to previous environmental and cultural resource studies
3. Complete construction documents including plans, specifications and cost estimates
4. Construction observation and coordination

Additional requirements of the Project include:

1. Create graphics of the project for public display.
2. Attend meetings with COB staff and TxDOT staff as needed.
3. Attend public hearings, public meetings and City Council meetings as needed.

Generally, the Consultant is expected to work closely with COB staff in developing the Project.

## Submission Requirements

COB is searching for a highly experienced engineering/landscape architecture consulting firm with specific experience with the design of trails and associated appurtenances including drainage structures, bridges and signage. Experience with trail projects managed by TxDOT is required. Experience with projects located within the habitat of endangered species is also required. To demonstrate this requisite experience, firms are asked to submit specific information, which shall contain the following information:

## Statement of Qualifications

The formal Statement of Qualifications (SOQ) shall be in sufficient detail to allow COB staff to evaluate the capabilities of the firm with respect to completing the Project. At a minimum, the SOQ shall include a narrative description of the firm's capabilities and organization. A list of

references is also required. For clarity, the components of the SOQ are more fully described below:

- **Firm's Capabilities:** Describe the firm's capabilities to provide engineering and landscape architecture services for the Project. Demonstrate the firm's capabilities for the variety of anticipated work as described by the Scope of Services. Also, include the firm's number of years in existence, range of professional services, office location(s) and staff size.
- **Project Personnel:** Include the key personnel that will be assigned to the Project. The "Principal in Charge" should be identified as the contact person for the Project who shall remain the point of contact until completion. The resumes of the Principal in Charge and other key personnel should be included with the SOQ to demonstrate their experience and qualifications along with a statement affirming that all assigned key professional staff are properly registered/licensed to practice in the state of Texas. More specifically, COB is interested in the experience of the firm and/or the proposed project leaders on similar projects. Please provide information regarding a maximum of five (5) similar projects completed within the last five years, and include the following items in the narrative:
  - Project Name
  - Project Location
  - Project Description
  - Year Completed
  - Owner representative's name, title, address, email address and phone number
  - Project Manager and team members
- **Time availability:** Provide a positive statement that the Principal in Charge and all key management team members/resource leaders can commit the time necessary to fulfill the requirements of the Project.
- **List of References:** Include contact information for individuals with knowledge of the firm's completed work on projects that are substantially similar to the Project. A total of three references are required. Contact information shall include the name of the individual, company for which the reference works, phone number, address, email and a description of the referenced project.
- **Other Relevant Information:** At the Consultant's sole discretion, any other information that may provide further evidence of expertise related to the identified and anticipated professional services of the Project may be included.

### **Instructions for Submittals**

The original, four (4) copies, and a digital version of the SOQ must be received by 3:00 p.m. on August 25, 2017. Late or faxed submittals will not be accepted and will be retained by COB; however, they will not be opened or considered in the evaluation of Qualifications.

Submit the SOQ to:

**Ann Franklin, City Secretary  
City of Bastrop  
1311 Chestnut Street  
Bastrop, Texas 78602**

## Questions and Additional Information

For questions or additional information, please contact Wesley Brandon via email at [wbrandon@cityofbastrop.org](mailto:wbrandon@cityofbastrop.org). COB responses to questions shall be provided in writing and sent to all interested Consultants that have requested notification. Consultants shall not be entitled to rely on verbal communications from COB. All questions and requests for additional information must be received by COB prior to the SOQ submittal deadline according to the schedule in order to allow COB time to respond to interested Consultants.

## Selection Process

Each Consultant's SOQ submittal should be prepared simply and economically, providing a straightforward, concise description of the Consultant's capabilities to satisfy the requirements of the RFQ. Emphasis should be on completeness and clarity of content. COB is soliciting this RFQ for Consultants who can clearly demonstrate through past projects their expertise and skills in the areas described in this RFQ.

## Selection Criterion

Each submittal shall be judged as to the consultant's capabilities and experience to perform general engineering/landscape architecture services. Selection will be based on a 100-point scale using the weighted criterion listed below.

**(45) Capabilities, Experience and Past Performance:** Each firm will be evaluated on its demonstrated capabilities and experience to provide the engineering/landscape architecture services to COB for the Project. Past performances on similar type of work will be reviewed and judged upon quality of work, adherence to schedule, availability and compliance to local codes and regulations.

**(35) Key Personnel:** Each firm will be evaluated on the experience and education of the key personnel assigned to the Project.

**(20) Ability to Accomplish Work:** Each firm will be evaluated on its ability to provide the engineering/landscape architecture services in a timely manner. Items to be considered include number of qualified staff, support staff, available equipment and facilities.

An evaluation committee will review and rank the submittals based on the above criterion. If necessary, the top-rated Consultants will be short listed and invited to an interview. Upon selection of the Consultant deemed by COB as most responsive to the RFQ on the basis of demonstrated competence and qualifications for the type of professional services required for the Project, COB will request a proposal from the selected Consultant. The parties will enter into negotiations on the scope-of-work and budget that both parties determine to be fair and reasonable. If COB is unable to negotiate a satisfactory agreement with the selected Consultant, negotiations with that Consultant will terminate and COB may select the next most responsive Consultant. Upon the successful completion of negotiations, the selected Consultant will be recommended to the COB City Council to authorize award of a Professional Engineering/Landscape Architecture Services Agreement ("Agreement").

## **Anticipated Schedule**

COB has identified the following tentative timetable for submittal and evaluation of the SOQ, negotiation and approval of the Agreement:

August 3, 2017	Request for Qualifications Released
August 11, 2017	Non-Mandatory Pre-Submission Meeting
August 14, 2017	Deadline for Questions
August 18, 2017	City Responses to all questions or addenda
August 25, 2017	All Responses Due by <b>3:00 PM CDT</b>

While every attempt will be made to adhere to the above schedule following the submittal deadline for the SOQ, COB reserves the right to adjust or modify the selection process schedule. Where such changes to the selection process schedule are necessary, COB will advise all submitting Consultants in writing of any schedule changes as soon as practicable.

## **Submission Conditions**

Any submitted SOQ shall become the property of COB. Information submitted in the SOQ becomes public property and may be subject to public records disclosure laws. COB reserves the right to make use of any information or ideas contained in submittals. All materials, ideas and formats submitted in response to this RFQ will become the property of COB on receipt and may be returned only at the option of COB and at the Consultant's expense. Any information contained in the SOQ that is confidential, such as trade secrets or proprietary information, and clearly marked CONFIDENTIAL will be held confidential to the extent permitted by law unless otherwise determined by COB, at its sole discretion. In the event COB determines to disclose any trade secrets or proprietary information that has clearly marked CONFIDENTIAL, COB will notify the Consultant of such determination within a reasonable time in advance of such disclosure.

The prospective Consultant certifies by submission of their qualifications that neither it nor its principals are presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from participation in this transaction by any federal, state or local department or agency.

## **Limitation of Damage**

Each Consultant, by submitting an SOQ, agrees that: in the event any or all SOQ is rejected or disqualified, or the Project or selection process is modified, suspended or cancelled for any reason (including modification of either or both of the RFQ or the documents from the next stage of the procurement process), neither COB nor its officers, directors, employees, advisors or representatives will be liable, under any circumstance, for any claim, or to reimburse or compensate any person in any manner whatsoever including, but not limited to, costs of preparation of the SOQ, loss of anticipated profits, loss of opportunity or for any other matter; and, the Consultant waives any claim for loss of profits, or loss of opportunity if the Consultant is rejected or disqualified or is not successful in the selection process.

## **Terms and Conditions**

This RFQ does not create a tender process. This RFQ is neither an invitation for an offer to contract, nor is it an offer to contract made by COB. By this RFQ, COB reserves the right to consider and analyze the SOQ, select short-listed Consultants, invite shortlisted Consultants to the next stage of the procurement process, enter into negotiations and sign an agreement with the preferred Consultant. Without limiting the generality of the foregoing, COB reserves the right to: reject any SOQ if incomplete; require clarification of any qualifications; request additional information on any qualifications; reject any, or all, qualifications without any obligation of compensation or reimbursement to the Consultants; refuse to proceed to the next stage of the procurement process; or re-advertise for new qualifications. COB may, at its sole and absolute discretion, independently verify any information in any SOQ submission. COB reserves the right to debrief both successful and unsuccessful Consultants after announcing the selection under the RFQ prior to proceeding to the next stage of the procurement process. COB shall not be responsible for any costs incurred by a Consultant in preparing, submitting or presenting its response to the RFQ.

## **Changes in Consultant**

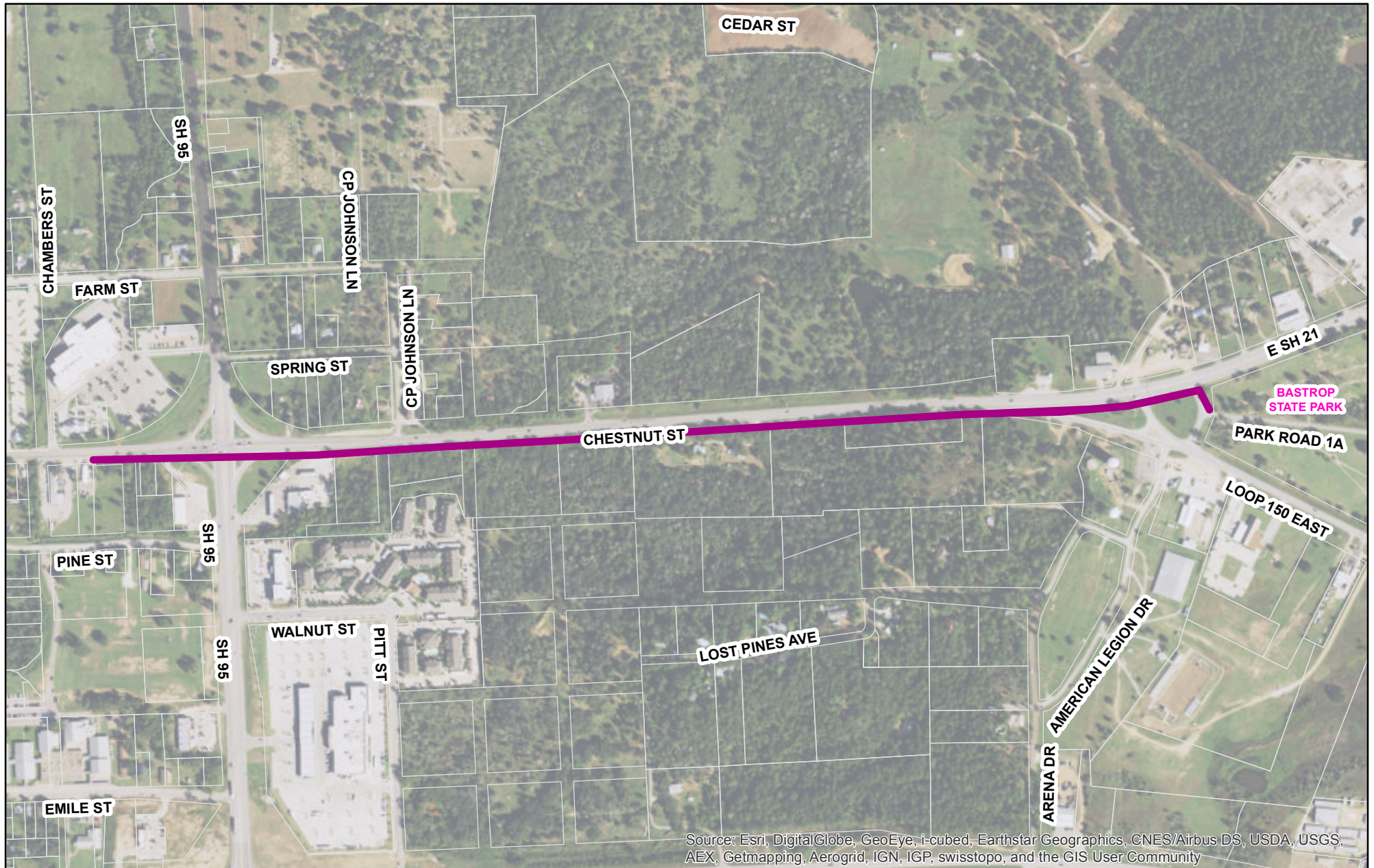
If there is an addition, deletion or change in the members comprising a Consultant (or team), in the key personnel positions of a Consultant or a change of effective control in any Consultant team member after submittal of an SOQ, the Consultant must notify COB, in writing, within five working days of any such change. COB reserves the right to terminate any candidacy of a Consultant if, in its sole opinion, the change materially negatively affects the ability of the Consultant to carry out the scope of the Project.

## **Disqualification**

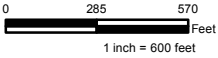
A Consultant's SOQ may be disqualified at the sole and absolute discretion of COB if: the deadline for submittal of qualifications is missed; a false or misleading statement or claim is discovered in the SOQ; or the elements identified in the submission requirements are not fulfilled.

## **Attachments**

Attachment A	Project Area Map
Attachment B	TxDOT Advanced Funding Agreement
Attachment C	Cultural Resources Survey
Attachment D	Conflict of Interest Questionnaire



Source: Esri, DigitalGlobe, GeoEye, i-cubed, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community



**STP-MM PROJECT #2**  
**STATE PARK PEDESTRIAN PATH**

**Legend**

 State Park Pedestrian Path

STATE OF TEXAS §

COUNTY OF TRAVIS §

**LOCAL TRANSPORTATION PROJECT  
ADVANCE FUNDING AGREEMENT**

**For A**

**Surface Transportation Program Metropolitan Mobility  
On and Off System**

**THIS Local Project Advance Funding Agreement (LPAFA)** is made by and between the State of Texas, acting by and through the Texas Department of Transportation, called the “State”, and the City of Bastrop, acting by and through its duly authorized officials, called the “Local Government.”

**WITNESSETH**

**WHEREAS**, a Master Agreement between the Local Government and the State has been adopted and states the general terms and conditions for transportation projects developed through this LPAFA; and,

**WHEREAS**, the Texas Transportation Commission passed Minute Order Number 114585 that provides for the development of, and funding for, the Project described herein; and,

**WHEREAS**, the Governing Body of the Local Government has approved entering into this LPAFA by resolution or ordinance dated \_\_\_\_\_, 20\_\_, which is attached to and made a part of this agreement as Attachment A for the development of the Project. A map showing the Project location appears in Attachment B, which is attached to and made a part of this agreement.

**NOW, THEREFORE**, in consideration of the premises and of the mutual covenants and agreements of the parties, to be by them respectively kept and performed as hereinafter set forth, it is agreed as follows:

**AGREEMENT**

**1. Period of the Agreement**

The period of this LPAFA is as stated in the Master Agreement, without exception.

**2. Termination of this LPAFA**

Termination of this LPAFA shall be under the conditions as stated in the Master Agreement. This LPAFA may be terminated by the State if the Project is inactive for thirty-six (36) months or longer and no expenditures have been charged against federal funds.

**3. Amendments**

Amendments to this LPAFA shall be made as described in the Master Agreement, without exception.

**4. Scope of Work**

The scope of work for this LPAFA is described as to connect Bastrop State Park to Chestnut Street at Loop 150 by installing a multi-use pedestrian path.



**5. Right of Way and Real Property**

Right of way and real property shall be the responsibility of the Local Government as stated in the Master Agreement, without exception.

**6. Utilities**

Adjustment of utilities will be provided by the Local Government as required and as stated in the Master Agreement, without exception.

**7. Environmental Assessment and Mitigation**

Environmental assessment and mitigation will be carried out as stated in the Master Agreement. Additionally, before the advertisement for bids, the Local Government shall provide to the State written documentation from the appropriate regulatory agency or agencies that all environmental clearances have been obtained.

**8. Compliance with Texas Accessibility Standards and ADA**

Compliance with Texas Accessibility Standards and the Americans with Disabilities Act (ADA) will be as stated in the Master Agreement, without exception.

**9. Architectural and Engineering Services**

Architectural and engineering services will be provided by the Local Government as stated in the Master Agreement. The Local Government is responsible for performance of any required architectural or preliminary engineering work. For projects on the state highway system, the design shall, at a minimum conform to applicable State manuals. For projects not on the state highway system, the design shall, at a minimum, conform to applicable *American Association of State Highway and Transportation Officials* design standards. The State may review and comment on the work as required to accomplish the public purposes of the State. The State will cooperate fully with the Local Government in accomplishing these local public purposes to the degree permitted by State and Federal law.

**10. Construction Responsibilities**

Construction responsibilities will be carried out by the Local Government as stated in the Master Agreement.

**11. Project Maintenance**

Project maintenance will be undertaken as provided for in the Master Agreement, without exception.

**12. Local Project Sources and Uses of Funds**

A. A Project Budget Estimate is provided in Attachment C. The State and the Federal Government will not reimburse the Local Government for any work performed before the federal spending authority is formally obligated to the Project by the Federal Highway Administration. After federal funds have been obligated, the State will send to the Local Government a copy of the formal documentation showing the obligation of funds including federal award information. The Local Government is responsible for one hundred percent (100%) of the cost of any work performed under its direction or control before the Federal spending authority is formally obligated.

- B.** If the Local Government will perform any work under this contract for which reimbursement will be provided by or through the State, the Local Government must complete training before federal spending authority is obligated. Training is complete when at least one individual who is working actively and directly on the Project successfully completes and receives a certificate for the course entitled *Local Government Project Procedures and Qualification for the Texas Department of Transportation*. The Local Government shall provide the certificate of qualification to the State. The individual who receives the training certificate may be an employee of the Local Government or an employee of a firm that has been contracted by the Local Government to perform oversight of the Project. The State in its discretion may deny reimbursement if the Local Government has not designated a qualified individual to oversee the Project.
- C.** A Source of Funds estimate based on the Transportation Improvement Program (TIP) is also provided in Attachment C. Attachment C shows the percentage and estimated dollar amount to be contributed to the project by federal, state, and local sources. The parties agree that the LPAFA may be amended from time to time as required to meet the funding commitments based on revisions to the TIP, Federal Project Authorization and Agreement (FPAA), or other federal document.
- D.** The Local Government is responsible for all non-federal and non-state funding, unless otherwise provided for in this agreement or through amendment of this agreement. Where Special Approval has been granted by the State, the Local Government shall only in that instance be responsible for overruns in excess of the amount to be paid by the Local Government.
- E.** Prior to the performance of any engineering review work by the State, the Local Government will pay to the State the amount specified in Attachment C. At a minimum, this amount shall equal the Local Government's funding share for the estimated cost of preliminary engineering for the project. At least sixty (60) days prior to the date set for receipt of the construction bids, the Local Government shall remit its remaining financial share for the State's estimated construction oversight and construction costs.
- F.** Whenever funds are paid by the Local Government to the State under this Agreement, the Local Government shall remit a check or warrant made payable to the "Texas Department of Transportation." The check or warrant shall be deposited by the State and managed by the State. Funds may only be applied by the State to the Project. If after final Project accounting any excess funds remain, those funds may be applied by the State to the Local Government's contractual obligations to the State under another advance funding agreement with approval by appropriate personnel of the Local Government.
- G.** If any existing or future local ordinances, commissioners court orders, rules, policies, or other directives, including but not limited to outdoor advertising billboards and storm water drainage facility requirements, are more restrictive than State or Federal Regulations, or if any other locally proposed changes, including but not limited to plats or replats, result in increased costs, then any increased costs associated with the ordinances or changes will be paid by the Local Government. The cost of providing right of way acquired by the State shall mean the total expenses in acquiring the property interests either through negotiations or eminent domain proceedings, including but not limited to expenses related to relocation, removal, and adjustment of eligible utilities.

- H. When Special Approval has been granted by the State so that the Local Government bears the responsibility for paying cost overruns, the Local Government shall make payment to the State within thirty (30) days from receipt of the State's written notification of those amounts.
- I. The state auditor may conduct an audit or investigation of any entity receiving funds from the State directly under this contract or indirectly through a subcontract under this contract. Acceptance of funds directly under this contract or indirectly through a subcontract under this contract acts as acceptance of the authority of the state auditor, under the direction of the legislative audit committee, to conduct an audit or investigation in connection with those funds. Any entity that is the subject of an audit or investigation must provide the state auditor with access to any information the state auditor considers relevant to the investigation or audit.
- J. Payment under this contract beyond the end of the current fiscal biennium is subject to availability of appropriated funds. If funds are not appropriated, this contract shall be terminated immediately with no liability to either party.
- K. The Local Government is authorized to submit requests for reimbursement by submitting the original of an itemized invoice in a form and containing all items required by the State no more frequently than monthly and no later than ninety (90) days after costs are incurred. If the Local Government submits invoices more than ninety (90) days after the costs are incurred, and if federal funding is reduced as a result, the State shall have no responsibility to reimburse the Local Government for those costs.

### **13. Document and Information Exchange**

The Local Government agrees to electronically deliver to the State all general notes, specifications, contract provision requirements, and related documentation in a Microsoft® Word or similar document. If requested by the State, the Local Government will use the State's document template. The Local Government shall also provide a detailed construction time estimate including types of activities and month in the format required by the State. This requirement applies whether the Local Government creates the documents with its own forces or by hiring a consultant or professional provider. At the request of the State, the Local Government shall submit any information required by the State in the format directed by the State.

### **14. Incorporation of Master Agreement Provisions**

This LPAFA incorporates all of the governing provisions of the Master Agreement in effect on the date of final execution of this LPAFA, unless an exception has been made in this agreement.

### **15. Insurance**

If this Agreement authorizes the Local Government or its contractor to perform any work on State right of way, before beginning work the entity performing the work shall provide the State with a fully executed copy of the State's Form 1560 Certificate of Insurance verifying the existence of coverage in the amounts and types specified on the Certificate of Insurance for all persons and entities working on State right of way. This coverage shall be maintained until all work on the State right of way is complete. If coverage is not maintained, all work on State right of way shall cease immediately, and the State may recover damages and all costs of completing the work.

**16. Debarment Certification**

The parties are prohibited from making any award at any tier to any party that is debarred or suspended or otherwise excluded from or ineligible for participation in Federal Assistance Programs under Executive Order 12549, "Debarment and Suspension." By executing this Agreement, the Local Government certifies that it and its principals are not currently debarred, suspended, or otherwise excluded from or ineligible for participation in Federal Assistance Programs under Executive Order 12549 and further certifies that it will not do business with any party, to include principals, that is currently debarred, suspended, or otherwise excluded from or ineligible for participation in Federal Assistance Programs under Executive Order 12549. The parties to this contract shall require any party to a subcontract or purchase order awarded under this contract to certify its eligibility to receive federal funds and, when requested by the State, to furnish a copy of the certification.

**17. Cost Principles and Office of Management and Budget (OMB) Audit Requirements**

In order to be reimbursed with federal funds, the parties shall comply with the Cost Principles established in 2 CFR 200 that specify that all reimbursed costs are allowable, reasonable, and allocable to the Project.

**18. Notices**

All notices to either party shall be delivered personally or sent by certified or U.S. mail, postage prepaid, addressed to that party at the following address:

<b>Local Government:</b>	<b>State:</b>
City Manager City of Bastrop 1311 Chestnut Street Bastrop, Texas 78602	Director of Contract Services Texas Department of Transportation 125 E. 11 <sup>th</sup> Street Austin, Texas 78701

All notices shall be deemed given on the date delivered in person or deposited in the mail, unless otherwise provided by this agreement. Either party may change the above address by sending written notice of the change to the other party. Either party may request in writing that notices shall be delivered personally or by certified U.S. mail, and that request shall be carried out by the other party.

**19. Civil Rights Compliance**

- A. Compliance with Regulations: The Local Government will comply with the Acts and the Regulations relative to Nondiscrimination in Federally-assisted programs of the U.S. Department of Transportation, the Federal Highway Administration, as they may be amended from time to time.
- B. Nondiscrimination: The Local Government, with regard to the work performed by it during the contract, shall not discriminate on the grounds of race, color, sex, or national origin in the selection and retention of subcontractors, including procurement of materials and leases of equipment. The Local Government will not participate directly or indirectly in the discrimination

prohibited by the Acts and the Regulations, including employment practices when the contract covers any activity, project, or program set forth in Appendix B of 45 CFR Part 21.

- C. Solicitations for Subcontracts, Including Procurement of Materials and Equipment:** In all solicitations either by competitive bidding or negotiation made by the Local Government for work to be performed under a subcontract, including procurement of materials or leases of equipment, each potential subcontractor or supplier shall be notified by the Local Government of the Local Government's obligations under this contract and the Acts and Regulations relative to Nondiscrimination on the grounds of race, color, or national origin.
- D. Information and Reports:** The Local Government shall provide all information and reports required by the Acts, the Regulations, and directives issued pursuant thereto, and will permit access to its books, records, accounts, other sources of information, and facilities as may be determined by the State or the Federal Highway Administration to be pertinent to ascertain compliance with such Acts, Regulations or directives. Where any information required of the Local Government is in the exclusive possession of another who fails or refuses to furnish this information, the Local Government will so certify to the State or the Federal Highway Administration, as appropriate, and shall set forth what efforts it has made to obtain the information.
- E. Sanctions for Noncompliance:** In the event of the Local Government's noncompliance with the Nondiscrimination provisions of this contract, the State will impose such contract sanctions as it or the Federal Highway Administration may determine to be appropriate, including, but not limited to:
- a. withholding of payments to the Local Government under the contract until the Local Government complies and/or
  - b. cancellation, termination, or suspension of the contract, in whole or in part.
- F. Incorporation of Provisions:** The Local Government will include the provisions of paragraphs (A) through (E) in every subcontract, including procurement of materials and leases of equipment, unless exempt by the Acts, the Regulations and directives issued pursuant thereto. The Local Government will take such action with respect to any subcontract or procurement as the State or the Federal Highway Administration may direct as a means of enforcing such provisions including sanctions for noncompliance provided, however, that in the event an Local Government becomes involved in, or is threatened with, litigation with a subcontractor or supplier as a result of such direction, the Local Government may request the Texas Department of Transportation to enter into such litigation to protect the interests of the State; and, in addition, the Local Government may request the United States to enter into such litigation to protect the interests of the United States.

## **20. Disadvantaged Business Enterprise (DBE) Program Requirements**

- A.** The parties shall comply with the Disadvantaged Business Enterprise Program requirements established in 49 CFR Part 26.
- B.** The Local Government shall adopt, in its totality, the State's federally approved DBE program.
- C.** The Local Government shall set an appropriate DBE goal consistent with the State's DBE guidelines and in consideration of the local market, project size, and nature of the goods or services to be acquired. The Local Government shall have final decision-making authority regarding the DBE goal and shall be responsible for documenting its actions.

- D. The Local Government shall follow all other parts of the State's DBE program referenced in TxDOT Form 2395, Memorandum of Understanding Regarding the Adoption of the Texas Department of Transportation's Federally-Approved Disadvantaged Business Enterprise by Entity, and attachments found at web address [http://ftp.dot.state.tx.us/pub/txdot-info/bop/dbe/mou/mou\\_attachments.pdf](http://ftp.dot.state.tx.us/pub/txdot-info/bop/dbe/mou/mou_attachments.pdf).
- E. The Local Government shall not discriminate on the basis of race, color, national origin, or sex in the award and performance of any U.S. Department of Transportation (DOT)-assisted contract or in the administration of its DBE program or the requirements of 49 CFR Part 26. The Local Government shall take all necessary and reasonable steps under 49 CFR Part 26 to ensure non-discrimination in award and administration of DOT-assisted contracts. The State's DBE program, as required by 49 CFR Part 26 and as approved by DOT, is incorporated by reference in this agreement. Implementation of this program is a legal obligation and failure to carry out its terms shall be treated as a violation of this agreement. Upon notification to the Local Government of its failure to carry out its approved program, the State may impose sanctions as provided for under 49 CFR Part 26 and may, in appropriate cases, refer the matter for enforcement under 18 U.S.C. 1001 and the Program Fraud Civil Remedies Act of 1986 (31 U.S.C. 3801 et seq.).
- F. Each contract the Local Government signs with a contractor (and each subcontract the prime contractor signs with a sub-contractor) must include the following assurance: *The contractor, sub-recipient, or sub-contractor shall not discriminate on the basis of race, color, national origin, or sex in the performance of this contract. The contractor shall carry out applicable requirements of 49 CFR Part 26 in the award and administration of DOT-assisted contracts. Failure by the contractor to carry out these requirements is a material breach of this agreement, which may result in the termination of this agreement or such other remedy as the recipient deems appropriate.*

## 21. Federal Funding Accountability and Transparency Act Requirements

- A. Any recipient of funds under this Agreement agrees to comply with the Federal Funding Accountability and Transparency Act (FFATA) and implementing regulations at 2 CFR Part 170, including Appendix A. This agreement is subject to the following award terms: <http://www.gpo.gov/fdsys/pkg/FR-2010-09-14/pdf/2010-22705.pdf> and <http://www.gpo.gov/fdsys/pkg/FR-2010-09-14/pdf/2010-22706.pdf>
- B. The Local Government agrees that it shall:
1. Obtain and provide to the State a System for Award Management (SAM) number (Federal Acquisition Regulation, Part 4, Sub-part 4.11) if this award provides more than \$25,000 in Federal funding. The SAM number may be obtained by visiting the SAM website whose address is: <https://www.sam.gov/portal/public/SAM/>
  2. Obtain and provide to the State a Data Universal Numbering System (DUNS) number, a unique nine-character number that allows the Federal government to track the distribution of federal money. The DUNS number may be requested free of charge for all businesses and entities required to do so by visiting the Dun & Bradstreet (D&B) on-line registration website <http://fedgov.dnb.com/webform>; and
  3. Report the total compensation and names of its top five (5) executives to the State if:
    - i. More than 80% of annual gross revenues are from the Federal government, and those revenues are greater than \$25,000,000; and

- ii. The compensation information is not already available through reporting to the U.S. Securities and Exchange Commission.

## 22. Single Audit Report

- A. The parties shall comply with the requirements of the Single Audit Act of 1984, P.L. 98-502, ensuring that the single audit report includes the coverage stipulated in 2 CFR 200.
- B. If threshold expenditures are met during the Local Government's fiscal year, the Local Government must submit a Single Audit Report and Management Letter (if applicable) to TxDOT's Audit Office, 125 E. 11th Street, Austin, TX 78701 or contact TxDOT's Audit Office at <http://www.txdot.gov/inside-txdot/office/audit/contact.html>. If threshold expenditures of \$750,000 or more are met during the fiscal year, the Local Government must submit a Single Audit Report and Management Letter (if applicable) to TxDOT's Audit Office, 125 East 11th Street, Austin, TX 78701 or contact TxDOT's Audit Office at <http://www.txdot.gov/inside-txdot/office/audit/contact.html>.
- C. If expenditures are less than the threshold during the Local Government's fiscal year, the Local Government must submit a statement to TxDOT's Audit Office as follows: "We did not meet the \$\_\_\_\_\_ expenditure threshold and therefore, are not required to have a single audit performed for FY \_\_\_\_\_."
- D. For each year the project remains open for federal funding expenditures, the Local Government will be responsible for filing a report or statement as described above. The required annual filing shall extend throughout the life of the agreement, unless otherwise amended or the project has been formally closed out and no charges have been incurred within the current fiscal year.

## 23. Non-Discrimination Provisions

- A. Relocation Assistance: The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, (42 U.S.C. § 4601), prohibits unfair treatment of persons displaced or whose property has been acquired because of Federal or Federal-aid programs and projects.
- B. Disability:
  - a. Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. § 794 et. Seq.), as amended, prohibits discrimination on the basis of disability; and 49 CFR Part 27.
  - b. Titles II and III of the Americans with Disabilities Act, which prohibit discrimination on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities (42 U.S.C. §§ 12131-12189) as implemented by the Department of Transportation regulations at 49 C.F.R. parts 37 and 38.
- C. Age: The Age Discrimination Act of 1974, as amended, (42 U.S.C. § 6101 et. Seq.), prohibits discrimination on the basis of age.
- D. Race, Creed, Color, National Origin, or Sex:
  - a. The Airport and Airway Improvement Act of 1982 (49 U.S.C. § 4.71, Section 4.7123), as amended, prohibits discrimination based on race, creed, color, national origin, or sex.
  - b. The Federal Aviation Administration's Nondiscrimination state (4 U.S.C. § 47123) prohibits discrimination on the basis of race, color, national origin, and sex.
  - c. Federal-Aid Highway Act of 1973, (23 U.S.C. § 324 et. seq.), prohibits discrimination on the basis of sex.

- d. Title IX of the Education Amendments of 1972, as amended, prohibits discrimination because of sex in education program or activities (20 U.S.C. 1681 et. seq.).
- E. Civil Rights Restoration Act: The Civil Rights Restoration Act of 1987 (PL 100-209), Broadened the scope, coverage and applicability of Title VI of the Civil Rights Act of 1964, The Age Discrimination Act of 1975 and Section 504 of the Rehabilitation Act of 1973, by expanding the definition of the terms “programs and activities” to include all of the programs or activities of the Federal-aid recipients, subrecipients and contractors, whether such programs or activities are Federally funded or not.
- F. Minority Populations: Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, which ensures non-discrimination against minority and low-income populations by discouraging programs, policies, and activities with disproportionately high and adverse human health or environmental effects on minority and low-income populations.
- G. Limited English Proficiency: Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency, and resulting agency guidance, national origin discrimination includes discrimination because of limited English proficiency (LEP). To ensure compliance with Title VI, the Engineer must take reasonable steps to ensure that LEP persons have meaningful access to its programs (70 Fed. Reg. at 74087 to 74100).

#### **24. Signatory Warranty**

Each signatory warrants that the signatory has necessary authority to execute this agreement on behalf of the entity represented.



CSJ #0914-18-109  
District #14-AUS  
Code Chart 64 #03050  
Project: Bastrop Multi-Use Pedestrian Connection  
Federal Highway Administration  
CFDA Title: Highway Planning and Construction  
CFDA No.: 20.205  
Not Research and Development

**THIS AGREEMENT IS EXECUTED** by the State and the Local Government in duplicate.

**THE LOCAL GOVERNMENT**

\_\_\_\_\_  
Signature

Mike Talbot  
Typed or Printed Name

City Manager  
Title

\_\_\_\_\_  
Date

**THE STATE OF TEXAS**

\_\_\_\_\_  
Kenneth Stewart  
Director of Contract Services  
Texas Department of Transportation

\_\_\_\_\_  
Date

CSJ #0914-18-109  
District #14-AUS  
Code Chart 64 #03050  
Project: Bastrop Multi-Use Pedestrian Connection  
Federal Highway Administration  
CFDA Title: Highway Planning and Construction  
CFDA No.: 20.205  
Not Research and Development

**ATTACHMENT A**  
**RESOLUTION OR ORDINANCE**

CSJ #0914-18-109  
District #14-AUS  
Code Chart 64 #03050  
Project: Bastrop Multi-Use Pedestrian Connection  
Federal Highway Administration  
CFDA Title: Highway Planning and Construction  
CFDA No.: 20.205  
Not Research and Development

## ATTACHMENT B PROJECT LOCATION MAP



**STP-MM PROJECT #2  
STATE PARK PEDESTRIAN PATH**

**Legend**  
— State Park Pedestrian Path

**ATTACHMENT C**  
**PROJECT BUDGET ESTIMATE AND SOURCE OF FUNDS**

Costs will be allocated based on 80% Federal funding and 20% Local Government funding until the federal funding reaches the maximum obligated amount. The Local Government will then be responsible for 100% of the costs.

Description	Total Estimated Cost	Federal Participation		State Participation		Local Participation	
		%	Cost	%	Cost	%	Cost
Engineering (by Local Government)	\$63,700	0%	\$0	0%	\$0	100%	\$63,700
Construction (by Local Government)	\$1,300,000	80%	\$1,040,000	0%	\$0	20%	\$260,000
Subtotal	\$1,363,700		\$1,040,000		\$0		\$323,700
Environmental Direct State Costs	\$6,669	0%	\$0	0%	\$0	100%	\$6,669
Right of Way Direct State Costs	\$1,667	0%	\$0	0%	\$0	100%	\$1,667
Engineering Direct State Costs	\$10,003	0%	\$0	0%	\$0	100%	\$10,003
Utility Direct State Costs	\$1,667	0%	\$0	0%	\$0	100%	\$1,667
Construction Direct State Costs	\$46,679	0%	\$0	0%	\$0	100%	\$46,679
Indirect State Costs (6.38%)	\$87,004	0%	\$0	100%	\$87,004	0%	\$0
<b>TOTAL</b>	<b>\$1,517,389</b>		<b>\$1,040,000</b>		<b>\$87,004</b>		<b>\$390,385</b>

Initial payment by the Local Government to the State: \$20,006  
 Payment by the Local Government to the State before construction: \$46,679  
 Estimated total payment by the Local Government to the State: \$66,685  
 The final amount of Local Government participation will be based on actual costs.

# ATTACHMENT C

## An Intensive Cultural Resources Survey of the Bastrop State Park Trail Project in Bastrop County, Texas

By:

Russell K. Brownlow and Jeffrey D. Owens



Texas Antiquities Committee Permit No. 7778  
HJN 160171 AR

Prepared for:



City of Bastrop  
Bastrop, Texas

Prepared by:



Horizon Environmental Services, Inc.  
Austin, Texas

DRAFT  
October 2016



# **An Intensive Cultural Resources Survey of the Bastrop State Park Trail Project in Bastrop County, Texas**

**By:**

**Russell K. Brownlow and Jeffrey D. Owens**

**Prepared for:**



**City of Bastrop  
1311 Chestnut Street  
Bastrop, Texas 78602**

**Prepared by:**



**Horizon Environmental Services, Inc.  
1507 S. Interstate 35  
Austin, Texas 78741**

**Russell K. Brownlow, Principal Investigator  
HJN 160171 AR**

**Texas Antiquities Committee Permit No. 7778**

**DRAFT  
October 2016**





## **ABSTRACT**

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On 21 September 2016, Horizon Environmental Services, Inc. (Horizon) conducted an intensive cultural resources survey of the proposed Bastrop State Park Trail Project located on the east side of Bastrop in Bastrop County, Texas (Project Area). The City of Bastrop is proposing the construction of approximately 1.0 miles (1.6 kilometers) of pedestrian/bicycle trail to connect Bastrop State Park to existing sidewalks along Chestnut Street near downtown Bastrop. The proposed trail would extend along the south side of State Highway (SH) 21 within existing roadway easements. As the undertaking would be located on public property, it would fall under the regulations of the Antiquities Code of Texas (ACT). In addition, the proposed trail would traverse a tributary of Gills Branch. This crossing may require the use of a Nationwide Permit (NWP) issued by the US Army Corps of Engineers (USACE). As NWPs are federal permits, the portion of the undertaking under the purview of the USACE would also fall under the regulations of Section 106 of the National Historic Preservation Act (NHPA) of 1966, as amended. At the request of the City of Bastrop, Horizon conducted the cultural resources survey of the Project Area in compliance with the ACT and Section 106 of the NHPA. The purpose of the survey was to determine if any significant archeological deposits are located within the Project Area and, if any exist, to determine if the project has the potential to have any adverse effects on sites eligible for formal designation as State Antiquities Landmarks (SALs) or sites listed on or considered eligible for listing on the National Register of Historic Places (NRHP). The cultural resources investigations were conducted under Texas Antiquities Committee (TAC) permit no. 7778.

As the Project Area extends along the southern edge of SH 21, the cultural resources survey resulted in the observation that the vast majority of the Project Area has been previously impacted by highway and infrastructure construction, utility installation, and various other forms of modern development. Despite this, the survey resulted in the documentation of 1 newly recorded historic-era archeological site. Site 41BP950 was documented as a historic-era debris scatter dating to the mid-20th century. Based on the lack of aboveground architecture and the sparsity of the remaining cultural materials, it is Horizon's opinion that site 41BP950 is ineligible for formal designation as an SAL or for inclusion in the NRHP. No additional investigations are recommended on this site in connection with the current undertaking.

Based on the assessment that site 41BP950 does not warrant formal designation as an SAL or inclusion in the NRHP, it is Horizon's opinion that the development of the Bastrop State

Park Trail Project will pose no adverse effects to significant cultural resources that are eligible for formal designation as SALs or that are listed on or considered eligible for listing on the NRHP. Horizon therefore recommends that the undertaking be allowed to proceed relative to the jurisdiction of the ACT, the USACE, and Section 106 of the NHPA. However, in the unlikely event that any cultural materials (including human remains or burial features) are inadvertently discovered at any point during construction, use, or ongoing maintenance within the Project Area, even in previously surveyed areas, all work at the location of the discovery should cease immediately, and the THC should be notified of the discovery.

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## **ACKNOWLEDGEMENTS**

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Horizon Environmental Services, Inc. (Horizon) conducted the intensive cultural resources survey of the proposed Bastrop State Park Trail Project reported herein in compliance with the Antiquities Code of Texas (ACT) and Section 106 of the National Historic Preservation Act (NHPA) of 1966, as amended. The investigations were conducted under Texas Antiquities Committee (TAC) permit no. 7778. Russell K. Brownlow served as the Principal Investigator for the project and lead author on this report. He was assisted on the report with contributions by Jeffrey D. Owens. Briana Smith and Samuel Brigham-McLellan conducted the field investigations, and Briana Smith was responsible for the drafting of the figures.



## **1.0 INTRODUCTION**

---

This document reports the results of an intensive cultural resources survey of the proposed Bastrop State Park Trail Project located on the east side of Bastrop in Bastrop County, Texas (Project Area) (Figures 1-1 and 1-2). The City of Bastrop is proposing the construction of approximately 1.0 miles (1.6 kilometers) of pedestrian/bicycle trail to connect Bastrop State Park to existing sidewalks along Chestnut Street near downtown Bastrop. The proposed trail would extend along the south side of State Highway (SH) 21 within existing roadway easements. As the undertaking would be located on public property, it would fall under the regulations of the Antiquities Code of Texas (ACT). In addition, the proposed trail would traverse a tributary of Gills Branch. This crossing may require the use of a Nationwide Permit (NWP) issued by the US Army Corps of Engineers (USACE). As NWPs are federal permits, the portion of the undertaking under the purview of the USACE would also fall under the regulations of Section 106 of the National Historic Preservation Act (NHPA) of 1966, as amended. At the request of the City of Bastrop, Horizon Environmental Services, Inc. (Horizon) conducted the cultural resources survey of the Project Area in compliance with the ACT and Section 106 of the NHPA. The purpose of the survey was to determine if any significant archeological deposits are located within the Project Area and, if any exist, to determine if the project has the potential to have any adverse effects on sites eligible for formal designation as State Antiquities Landmarks (SALs) or sites listed on or considered eligible for listing on the National Register of Historic Places (NRHP). The cultural resources investigations were conducted under Texas Antiquities Committee (TAC) permit no. 7778.

The Project Area consists of a proposed concrete sidewalk that would connect an existing sidewalk near downtown Bastrop to the entrance of Bastrop State Park. This sidewalk totals approximately 1.0 miles (1.6 kilometers [km]) in length and approximately 10.0 feet (3.0 meters [m]) in width (1.2 acres). The anticipated depth of impacts would be less than 12.0 inches (30.5 centimeters [cm]) below surface.

The cultural resources investigations consisted of an archival review, an intensive cultural resources survey of the Project Area, and the production of a report suitable for review by the State Historic Preservation Officer (SHPO) in accordance with the Texas Historical Commission's (THC) Rules of Practice and Procedure, Chapter 26, Section 27, and the Council of Texas Archeologists (CTA) Guidelines for Cultural Resources Management Reports. Russell K. Brownlow (Horizon's Cultural Resources Director) served as the project's Principal

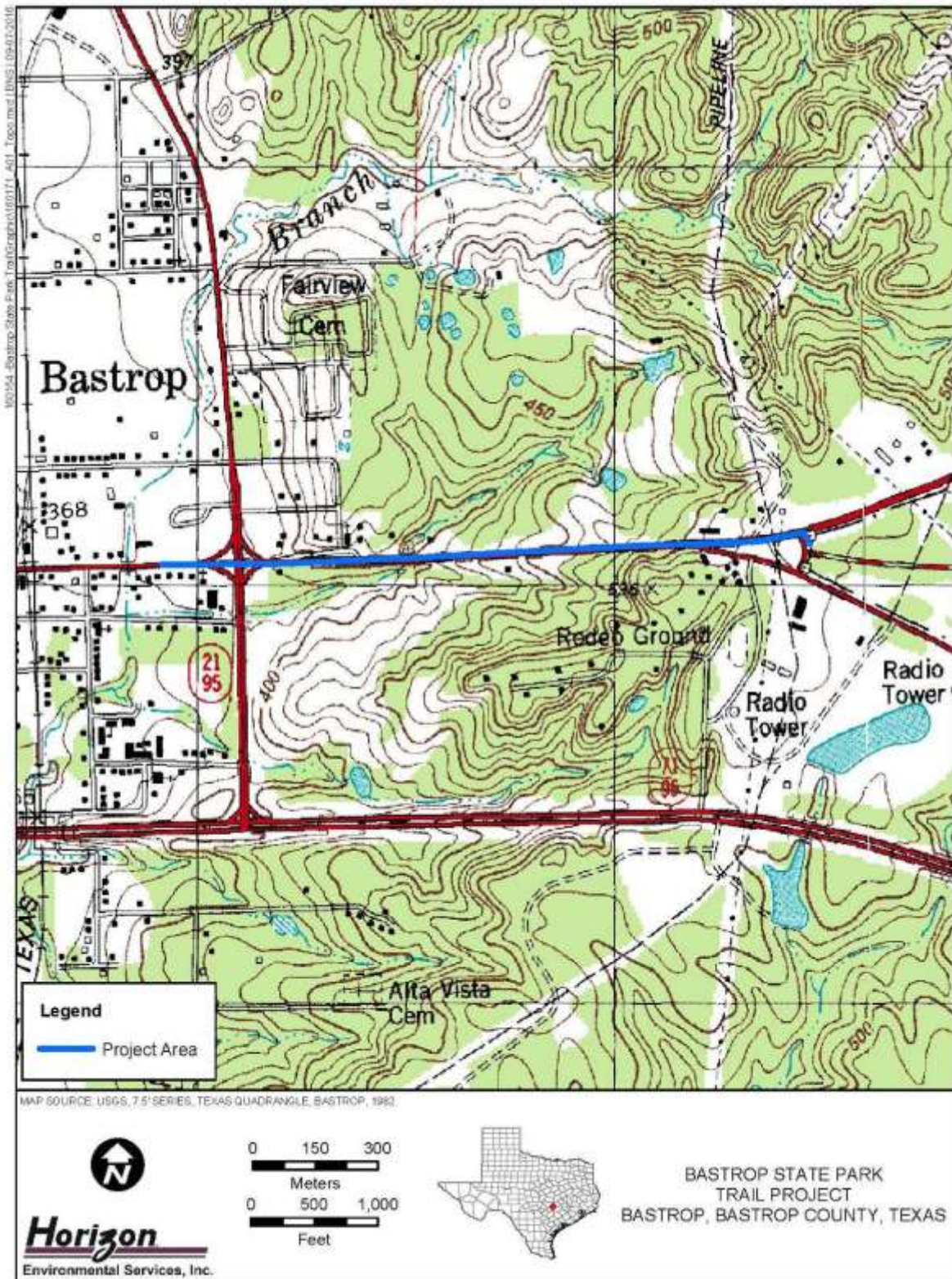


Figure 1-1. Topographic map with the location of the Project Area





Figure 1-2. Aerial photograph with the location of the Project Area

Investigator, while Briana Smith (Horizon staff archeologist) and Samuel Brigham-McLellan (archeological field technician) conducted the field investigations.

Horizon conducted the survey of the Project Area on 21 September 2016. This entailed intensive surface inspection and subsurface shovel testing efforts along the length of Project Area. The Texas State Minimum Archeological Survey Standards (TSMASS) require a minimum of 16 shovel tests per mile for linear projects measuring up to 100.0 feet (30.5 m) in width. As the Project Area totaled 1.0 miles (1.2 km) in length, a minimum of 16 shovel tests were necessary in order to comply with the TSMASS. Horizon exceeded the TSMASS by excavating a total of 29 shovel tests within the Project Area.

As the Project Area extends along the southern edge of SH 21, the cultural resources survey resulted in the observation that the vast majority of the Project Area has been previously impacted by highway and infrastructure construction, utility installation, and various other forms of modern development. Despite this, the survey resulted in the documentation of 1 newly recorded historic-era archeological site. Site 41BP950 was documented as a historic-era debris scatter dating to the mid-20th century. Based on the lack of aboveground architecture and the sparsity of the remaining materials, it is Horizon's opinion that site 41BP950 is ineligible for formal designation as an SAL or for inclusion in the NRHP. No additional investigations are recommended on this site in connection with the current undertaking.

Based on the assessment that site 41BP950 is considered to be ineligible for formal designation as a SAL or for inclusion on the NRHP, it is Horizon's opinion that the development of Bastrop State Park Trail Project would pose no adverse effects on significant cultural resources that are eligible for formal designation as SALs or that are listed on or considered eligible for listing on the NRHP. Horizon therefore recommends that the undertaking be allowed to proceed relative to the jurisdiction of the ACT, the USACE, and Section 106 of the NHPA. However, in the unlikely event that any cultural materials (including human remains or burial features) are inadvertently discovered at any point during construction, use, or ongoing maintenance within the Project Area, even in previously surveyed areas, all work at the location of the discovery should cease immediately, and the THC should be notified of the discovery.

## **2.0 ENVIRONMENTAL SETTING**

---

### **2.1 GENERAL PROJECT AREA DESCRIPTION**

The Project Area is located on the east side of Bastrop, extending along the southern side of SH 21 between downtown Bastrop and the entrance of Bastrop State Park. It can be found on the US Geological Survey (USGS) Bastrop, Texas, 7.5-minute topographic quadrangle (see Figure 1-1). The Project Area consists of a concrete sidewalk that extends approximately 1.0 miles (1.6 km) in length and approximately 10.0 feet (3.0 m) in width (1.2 acres). The anticipated depth of impacts would be less than 12.0 inches (30.5 cm) below surface.

The western end of the Project Area initiates at an existing sidewalk just to the east of downtown Bastrop (Figure 2-1). As can be seen in Figure 2-1, the area along the southern side of SH 21 consists of an elevated, artificial berm that is several feet above natural grade. Progressing eastward, the Project Area passes in front of a modern house before reaching the intersection of SH 21 and SH 95 (Figures 2-2 and 2-3). After crossing over SH 95, the Project Area continues atop an artificial berm, passing in front of a modern convenience store (Figure 2-4). From there, it continues eastward toward a tributary of Gills Branch within an area that was once the roadbed of SH 21 between 1899 and 1950 (Figures 2-5 and 2-6; see discussion of the prior SH 21 alignment in Chapter 4.0). Once the Project Area reaches the tributary of Gills Branch, it extends along an artificial berm that covers culverts used by SH 21 to span the tributary (Figure 2-7). On the east side of the tributary of Gills Branch, the Project Area enters a forested hillside. Within this area, the Project Area follows an existing overhead transmission line and an underground utility line (Figure 2-8). As the Project Area extends uphill toward the intersection of SH 21 and SH 150, it enters an area that has experienced considerable prior disturbances from roadway construction and utility installation (Figure 2-9). After crossing over SH 150, the Project Area terminates at the entrance to Bastrop State Park (Figure 2-10).

As can be seen in Figures 2-1 through 2-10, the entire length of the Project Area is situated within existing, previously disturbed roadway, utility, and drainage easements that retain little to no potential for containing intact cultural deposits.



Figure 2-1. West end of Project Area on artificial berm, facing east



Figure 2-2. Modern structure near west end of Project Area, facing east



**Figure 2-3. Approaching the intersection of SH 21 and SH 95, facing east**



**Figure 2-4. East side of SH 95 on artificial berm, facing east**



Figure 2-5. Approaching tributary of Gills Branch, facing east



Figure 2-6. Asphalt west of tributary of Gills Branch within earlier alignment of SH 21



**Figure 2-7. Artificial berm and bridge over tributary of Gills Branch, facing west**



**Figure 2-8. Project Area east of tributary of Gills Branch, facing east**



Figure 2-9. Approaching intersection of SH 21 and SH 150, facing east



Figure 2-10. Eastern terminus of Project Area at the entrance of Bastrop State Park, facing northwest



## **2.2 PHYSIOGRAPHY AND HYDROLOGY**

The Project Area is situated in an area of undulating hills that are dissected by Gills Branch and its tributaries on the eastern edge of the City of Bastrop. Elevations within the Project Area range between approximately 370.0 and 530.0 feet (112.8 and 161.6 m) above mean sea level. Hydrologically, the Project Area is situated within the Colorado River Basin. The Project Area is drained to the southwest by a tributary of Gills Branch. This tributary joins Gills Branch roughly 500.0 feet (152.4 m) southwest of the Project Area. Gills Branch flows to the southwest, joining the Colorado River approximately 0.9 miles (1.4 km) southwest of the Project Area.

## **2.3 CLIMATE**

Evidence for climatic change from the Pleistocene to the present is most often obtained through studies of pollen and faunal sequences (Bryant and Holloway 1985; Collins 1995). Bryant and Holloway (1985) present a sequence of climatic change for nearby east-central Texas from the Wisconsin Full Glacial period (22,500 to 14,000 B.P.) through the Late Glacial period (14,000 to 10,000 B.P.) to the Post-Glacial period (10,000 B.P. to present). Evidence from the Wisconsin Full Glacial period suggests that the climate in east-central Texas was considerably cooler and more humid than at present. Pollen data indicate that the region was more heavily forested in deciduous woodlands than during later periods (Bryant and Holloway 1985). The Late Glacial period was characterized by slow climatic deterioration and a slow warming and/or drying trend (Collins 1995). In east-central Texas, the deciduous woodlands were gradually replaced by grasslands and post oak savannas (Bryant and Holloway 1985). During the Post-Glacial period, the east-central Texas environment appears to have been more stable. The deciduous forests had long since been replaced by prairies and post oak savannas. The drying and/or warming trend that began in the Late Glacial period continued into the mid-Holocene, at which point there appears to have been a brief amelioration to more mesic conditions lasting from roughly 6,000 to 5,000 B.P. Recent studies by Bryant and Holloway (1985) indicate that modern environmental conditions in east-central Texas were probably achieved by 1,500 years ago.

Bastrop County is located within the south-central climatic division. The modern climate is typically dry to subhumid with long, hot summers and short, mild winters. The climate is influenced primarily by tropical Maritime air masses from the Gulf of Mexico, but it is modified by polar air masses. Tropical Maritime air masses predominate throughout spring, summer, and fall. Modified polar air masses are dominant in winter and provide a continental climate characterized by considerable variations in temperature.

On average throughout the past century, precipitation and temperature in Texas manifest regional clines with mean annual precipitation totals declining fairly regularly from east to west and mean annual temperature declining equally evenly from northwest to southeast (Larkin and Bomar 1983). In Central Texas, climate has fluctuated from subtropical humid to subtropical subhumid. Average annual precipitation totals 81.3 centimeters (32.0 inches) and temperature averages 19°Celsius (C) (67°Fahrenheit [F]) annually, ranging from 36°C (96°F) in

August (the warmest month) to 15°C (59°F) in January (the coldest month). During this time, however, drier periods lasting from 3 to 7 years, when total annual rainfall ranged from 30.5 to 63.5 centimeters (12.0 to 25.0 inches), were followed by abnormally wet years with 114.3 to 127.0 centimeters (45.0 to 50.0 inches) of rainfall.

Two annual precipitation peaks, which typically occur in May and September, are associated with frontal storms that form when southward-moving cool air masses collide with warm, moist air masses moving inland from the Gulf of Mexico (Bomar 1983; Carr 1967). The topographic discontinuity along the Balcones Escarpment lies directly in the path of the Gulf storm trace and increases the lift in convective storms to produce extreme amounts of rainfall. Two extreme examples are the excess of 91.4 centimeters (36.0 inches) of rain that fell within an 18-hour period in the vicinity of Thrall, Texas, in September 1921, and the 55.9-centimeter (22.0-inch) deluge that fell in less than 3 hours near O'Harris, Texas, in May 1935. Lower rainfall amounts are characteristic of winter and late summer. In winter, frontal storms pass so frequently that there is little time for moisture to increase, and prevailing upper-level winds from west to east often dominate over meridional flow, meaning that much of the available moisture is derived from the Pacific rather than from the Gulf of Mexico. In summer, cool fronts rarely penetrate into the region, and rainfall occurs primarily as localized, thermal convective storms.

## 2.4 FLORA AND FAUNA

The Project Area is situated in the southwestern portion of the Texan biotic province (Blair 1950), an intermediate zone between the forests of the Austroriparian and Carolinian provinces and the grasslands of the Kansan, Balconian, and Tamaulipan provinces (Dice 1943). Some species reach the limits of their ecological range within the Texan province. The boundary, characterized as "approximate," between Blair's (1950) Texan and Balconian provinces passes through western Williamson County, northwest of the APE. Rainfall in the Texan province is barely in excess of water need, and the region is classified as a C<sub>2</sub> (moist subhumid) climate with a moisture surplus index of from 0 to 20%.

Edaphic controls on vegetation types are important in the Texan biotic province, which is located near the border between moisture surplus and moisture deficiency. Sandy soils support oak-hickory forests dominated by post oak (*Quercus stellata*), blackjack oak (*Q. marilandica*), and hickory (*Carya buckleyi*). Clay soils originally supported a tall-grass prairie, but much of this soil type has been placed under cultivation. Dominant tall-grass prairie species include western wheatgrass (*Agropyron smithii*), silver beardgrass (*Andropogon saccharoides*), little bluestem (*Andropogon scoparius*), and Texas wintergrass (*Stipa leucotricha*). Major areas of oak-hickory forest include the Eastern and Western Cross Timbers, and major tall-grass prairie areas include the Blackland, Grand, and Coastal prairies. Some characteristic associations of the Austroriparian province occur locally in the Texan province, such as a mixed stand of loblolly pine (*Pinus taeda*) and blackjack and post oak in Bastrop County, as well as a series of peat and bog marshes distributed in a line extending from Leon to Gonzales counties.

The fauna associated with this region are represented by a mixture of species from the Austroriparian, Tamaulipan, Chihuahuan, Kansan, Balconian, and Texan biotic provinces. At least 49 species of mammals occur in the Texan province, including Virginia opossum

(*Didelphis virginiana*), eastern mole (*Scalopus aquaticus*), fox squirrel (*Sciurus niger*), desert pocket gopher (*Geomys breviceps*), fulvous harvest mouse (*Reithrodontomys fulvescens*), white-footed mouse (*Peromyscus leucopus*), hispid cotton rat (*Sigmodon hispidus*), eastern cottontail rabbit (*Sylvilagus floridanus*), raccoon (*Procyon lotor*), striped skunk (*Mephitis mephitis*), ground squirrel (*Citellus tridecemlineatus*), white-tailed deer (*Odocoileus virginiana*), hispid pocket mouse (*Perognathus hispidus*), deer mouse (*Peromyscus maniculatus*), black-tailed jackrabbit (*Lepus californicus*), pygmy mouse (*Baiomys taylori*), 9-banded armadillo (*Dasypus novemcinctus*), and jaguar (*Felis onca*). Both species of *Terrapene* known from the Austroriparian province—eastern box turtle (*T. Carolina*) and desert box turtle (*T. ornata*)—occur in the Texan.

Sixteen species of lizards, including 7 grassland and 9 forest species, are also found, including green anole (*Anolis carolinensis*), eastern fence lizard (*Sceloporus undulates*), common ground skink (*Leiolopisma laterale*), and glass snake (*Ophiosaurus ventralis*) (grassland species), as well as collared lizard (*Crotaphytus collaris*), Texas spiny lizard (*Sceloporus olivaceus*), Texas horned lizard (*Phrynosoma cornutum*), and Great Plains skink (*Eumeces obsoletus*) (forest species). Only 5 species of urodele fauna are known from this area, including small-mouthed salamander (*Ambystoma texanum*), tiger salamander (*Ambystoma tigrinum*), and eastern lesser siren (*Siren intermedia*), and the Texan province acts as a barrier to urodele distribution between the endemic Balconian province fauna to the west and the Austroriparian fauna to the east.

Anuran fauna is composed primarily of Austroriparian or otherwise widely distributed species, including eastern spadefoot toad (*Scaphiopus holbrookii*), Gulf Coast toad (*Bufo valliceps*), Woodhouse's toad (*Bufo woodhousii*), southern cricket frog (*Acris gryllus*), southern chorus frog (*Pseudacris nigrita*), gray treefrog (*Hyla versicolor*), green treefrog (*Hyla cinerea*), North American bullfrog (*Rana catesbeiana*), northern leopard frog (*Rana pipiens*), and narrow-mouthed toad (*Microhyla carolinensis*). Additional anuran species that fail to cross from the Texan into the Austroriparian province include Pacific tree frog (*Pseudacris clarkia*), Strecker's chorus frog (*Pseudacris streckeri*), and striped whipsnake (*Microhyla olivacea*). Other reptile and amphibian species common to this biotic zone include 6-lined racerunner (*Aspidoscelis sexlineata*), rat snake (*Ptyas mucosus*), eastern hognose snake (*Heterodon platirhinos*), rough green snake (*Opheodrys aestivus*), copperhead (*Agkistrodon contortrix*), western diamondback rattlesnake (*Crotalus atrox*), Blanchard's cricket frog (*Acris crepitans*), diamondback water snake (*Nerodia rhombifer*), and Houston toad (*Bufo houstonensis*).

Common bird species include northern bobwhite (*Colinus virginianus*), eastern meadowlark (*Sturnella magna*), mourning dove (*Zenaida macroura*), killdeer (*Charadrius vociferus*), field sparrow (*Spizella pusilla*), red-tailed hawk (*Buteo jamaicensis*), turkey vulture (*Cathartes aura*), belted kingfisher (*Ceyrle alcyon*), and mockingbird (*Mimus polyglottos*).

Although small herds of bison and antelope were common during the late prehistoric and early historic periods, these species are no longer native to this region (Jurney et al. 1989:13-14).

## 2.5 SOILS

A total of 6 soil types are mapped within the boundaries of the Project Area. These soils are presented in Table 2-1 (NRCS 1974) and in Figure 2-11.

**Table 2-1. Soils mapped within the Project Area**

Soil Name	Soil Type	Soil Depth (inches)	Setting
Edge fine sandy loam, 5 to 12% slopes, eroded (AfE2)	Fine sandy loam	0 to 11: Fine sandy loam 11 to 29: Clay 29 to 43: Clay loam 43 to 48: Sandy clay loam 48+: Siltstone	Side slopes and interfluves on upland ridges
Edge gravelly fine sandy loam, 3 to 8% slopes (AtD)	Fine sandy loam	0 to 11: Fine sandy loam 11 to 29: Clay 29 to 43: Clay loam 43 to 48: Sandy clay loam 48+: Siltstone	Side slopes and interfluves on upland ridges
Crockett fine sandy loam, 2 to 5% slopes (CsC2)	Fine sandy loam	0 to 8: Fine sandy loam 8 to 57: Clay 57 to 80: Clay loam	Broad ridges on the dissected plains
Crockett fine sandy loam, 5 to 10% slopes (CsE2)	Fine sandy loam	0 to 8: Fine sandy loam 8 to 57: Clay 57 to 80: Clay loam	Broad ridges on the dissected plains
Jedd fine sandy loam, 5 to 20% slopes (JeF)	Very gravelly sandy loam	0 to 17: Gravelly sandy loam 17 to 28: Clay 28 to 60: Sandstone	Uplands
Sayers fine sandy loam, 0 to 1% slopes, occasionally flooded (Sa)	Fine sandy loam	0 to 10: Fine sandy loam 10 to 24: Loamy fine sand 24 to 60: Fine sand	Undulating floodplains



Figure 2-11. Soils mapped within Project Area



## **3.0 CULTURAL BACKGROUND**

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The APE is located within Prewitt's (1981, 1985) Central Texas Archeological Region. The indigenous human inhabitants of Central Texas practiced a generally nomadic hunting and gathering lifestyle throughout all of prehistory, and, in contrast to much of the rest of North America, mobility and settlement patterns do not appear to have changed markedly through time in this region.

### **3.1 PALEOINDIAN PERIOD (CA. 12,000 TO 8500 B.P.)**

The initial human occupations in the New World can now be confidently extended back before 12,000 B.P. (Dincauze 1984; Haynes et al. 1984; Kelly and Todd 1988; Lynch 1990; Meltzer 1989). Evidence from Meadowcroft Rockshelter in Pennsylvania suggests that humans were present in Eastern North America as early as 14,000 to 16,000 years ago (Adovasio et al. 1990), while more recent discoveries at Monte Verde in Chile provide unequivocal evidence for human occupation in South America by at least 12,500 years ago (Dillehay 1989, 1997; Meltzer et al. 1997). Most archeologists have historically discounted claims of much earlier human occupation during the Pleistocene glacial period. However, recent investigations of the Buttermilk Creek Complex in Bell County, Texas, have raised the possibility that a pre-Clovis culture may have been present in North America as early as 15,500 years ago (Waters et al. 2011).

The earliest generalized evidence for human activities in Central Texas is represented by the PaleoIndian period (12,000 to 8500 B.P.) (Collins 1995). This stage coincided with ameliorating climatic conditions following the close of the Pleistocene epoch that witnessed the extinction of herds of mammoth, horse, camel, and bison. Cultures representing various periods within this stage are characterized by series of distinctive, relatively large, often fluted, lanceolate projectile points. These points are frequently associated with spurred end scrapers, graters, and bone foreshafts. PaleoIndian groups are often inferred to have been organized into egalitarian bands consisting of a few dozen individuals that practiced a fully nomadic subsistence and settlement pattern. Due to poor preservation of floral materials, subsistence patterns in Central Texas are known primarily through the study of faunal remains. Subsistence focused on the exploitation of plants, small animals, fish, and shellfish, even during the PaleoIndian period. There is little evidence in this region for hunting of extinct megafauna, as has been documented elsewhere in North America. Rather, a broad-based subsistence pattern appears to have been practiced throughout all prehistoric time periods. In Central Texas, the

PaleoIndian stage is divided into 2 periods based on recognizable differences in projectile point styles. These include the Early PaleoIndian period, which is recognized based on large, fluted projectile points (i.e., Clovis, Folsom, Dalton, San Patrice, and Big Sandy), and the Late PaleoIndian period, which is characterized by unfluted lanceolate points (i.e., Plainview, Scottsbluff, Meserve, and Angostura).

### **3.2 ARCHAIC PERIOD (CA. 8500 TO 1200 B.P.)**

The onset of the Hypsithermal drying trend marks the beginning of the Archaic period (8500 to 1200 B.P.) (Collins 1995). This climatic trend marked the beginning of a significant reorientation of lifestyle throughout most of North America, but this change was far less pronounced in Central Texas. Elsewhere, the changing climatic conditions and corresponding decrease in the big game populations forced people to rely more heavily upon a diversified resource base composed of smaller game and wild plants. In Central Texas, however, this hunting and gathering pattern is characteristic of most of prehistory. The appearance of a more diversified tool kit, the development of an expanded groundstone assemblage, and a general decrease in the size of projectile points are hallmarks of this cultural stage. Material culture shows greater diversity during this broad cultural period, especially in the application of groundstone technology.

Traditionally, the Archaic period is subdivided into Early, Middle, and Late subperiods. Changes in projectile point morphology are often used as markers differentiating these 3 subperiods, though other changes in material culture occurred as well. Perhaps most markedly, burned rock middens appear during the Middle Archaic subperiod, continuing into the Late Archaic subperiod, and large cemeteries appear during the Late Archaic subperiod. In addition, the increasing density of prehistoric sites through time is often considered to constitute evidence of population growth, though differential preservation probably at least partially accounts for the lower numbers of older sites.

### **3.3 LATE PREHISTORIC PERIOD (CA. 1200 TO 350 B.P.)**

The onset of the Late Prehistoric period (1200 to 350 B.P.) (Collins 1995) is defined by the appearance of the bow and arrow. In Central Texas, pottery also appears during the Late Prehistoric period (though ceramics appear earlier in Southeast Texas). Use of the atlatl (i.e., spearthrower) and spear was generally discontinued during the Late Prehistoric period, though they continued to be used in the inland subregion of Southeast Texas along with the bow and arrow through the Late Prehistoric period (Patterson 1980, 1995; Wheat 1953). In Texas, unifacial arrow points appear to be associated with a small prismatic blade technology. The Late Prehistoric period is generally divided into 2 phases, the Austin and Toyah phases. Austin phase sites occur earliest to the north, which has led some researchers (e.g., Prewitt 1985) to suggest that the Austin-phase populations of Central Texas were migrants from the north, and lack the ceramic industry of the later Toyah phase.



### **3.4 HISTORIC PERIOD (CA. 350 B.P. TO PRESENT)**

The first European incursion into what is now known as Texas occurred in 1519, when Álvarez de Pineda explored the northern shores of the Gulf of Mexico. In 1528, Cabeza de Vaca crossed South Texas after being shipwrecked along the Texas Coast near Galveston Bay; however, de Vaca did not approach the Colorado River basin or the Bastrop region. It was not until 1691, when Domingo Terán de los Ríos led an expedition along the route that became known as the Camino Real, that exploration of this region began.

In the late 17th century, natives from northern Mexico and southern Texas began migrating into Central Texas to escape forced occupation and labor in the Spanish mines and missions and on Spanish ranches. At approximately the same time, horses stolen from the Spanish had become an integral part of the Apache way of life. These mounted, nomadic bison hunters of the High Plains enjoyed a tremendous advantage over their pedestrian enemies. They terrorized native groups to the east and southeast of their High Plains homeland, forcing many to flee, some into Central Texas (Newcomb 1993:2). Thus, the first Europeans into the region encountered native groups fragmented by the growth of the Spanish missions, the raids of the Apache, and the diseases that swept before the physical presence of Europeans. Their accounts, therefore, do not provide direct analogues to prehistoric cultural patterns, but rather represent a time of drastic cultural change (Collins 1995). A few indigenous cultural patterns may have prevailed through time. Large, diffuse encampments composed of peoples with mixed ethnic affiliations and small, band-sized residential camps date to this particular period in Central Texas (Collins 1995:386). The smaller sites may represent indigenous groups.

Historical documents dating from the 1730s to 1800 make reference to remnants of native groups living in the missions, primarily in Bexar County (Collins 1995). Toward the end of this timeframe, the Comanche began to move into Northwestern Texas from the high plains. Records of their presence in Central Texas at this time tend to be highly biased since they were provided mostly from the hostile perspective of Anglo settlers (Collins 1995).

During the early part of the 19th century, the Native American presence in Central Texas was composed of small numbers of mission Indians, “far flung nomadic native groups (primarily the Comanche)” (Collins 1995:387), with EuroAmerican settlers becoming increasingly common. The Comanche presence began fading in the mid- to late 19th century. Their final expulsion heralded the end of Native American presence in Central Texas.

In 1804, a Spanish fort was built on the Old San Antonio Road Colorado River crossing. The self-proclaimed Baron of Bastrop, a German immigrant who had been given permission by the Mexican government to settle near this crossing, established the settlement of Bastrop in 1823. Further attempts to settle the area failed until a new settlement was established by Stephen F. Austin in 1827. Many well known Texas pioneers first settled in the Bastrop area. One of these early settlers, James Burleson, owned a parcel of land that would become a portion of Buescher State Park. The population of the Bastrop settlement at the time of the Texas Revolution was around 400 individuals.

The railroad came to Bastrop in the early 1870s and helped establish logging as the major local economic activity. Iron, coal, and manufacturing became important industries by the late 19th century. By 1900, the population of Bastrop County had increased to 26,845, up from around 7,000 at the start of the Civil War.

## 4.0 ARCHIVAL RESEARCH

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### 4.1 DATABASE REVIEW

Archival research conducted via the Internet at the THC's *Texas Archeological Sites Atlas* (Atlas) website indicated the presence of 29 previously recorded archeological sites, 2 cemeteries, 129 historic properties listed on the NRHP, and 2 address-restricted NRHP districts within a 1.0-mile (1.6-km) radius of the Project Area (THC 2016), while a review of the National Park Service's (NPS) NRHP Google Earth map layer indicated the presence of the same NRHP properties within the review perimeter (NPS 2016). These documented cultural resources and their distances from the Project Area are summarized in Table 4-1, while their locations relative to the Project Area are presented in Figure 4-1.

While there are numerous documented cultural resources within the review area, only one, Bastrop State Park, is located in immediate proximity to the current Project Area at the eastern terminus of the Project Area. The entirety of Bastrop State Park is a listed NRHP district and a National Historic Landmark (NHL). This NRHP district/NHL is composed of numerous park facilities that were built by the Civilian Conservation Corps (CCC) in the 1930s as well as numerous archeological sites. As the undertaking is proposed to provide a pedestrian/bicycle trail between downtown Bastrop and this state park, only the extreme eastern end of the Project Area connects to the entrance of this NRHP district/NHL. As the Project Area terminates at the park entrance, none of the features composing the NRHP district/NHL would be impacted by the current undertaking.

### 4.2 PREVIOUS INVESTIGATIONS

Based on the Atlas database, no previous cultural resources surveys have been conducted within the boundaries of the current Project Area.

### 4.3 MAP REVIEW

A review of historic aerial imagery containing the Project Area found that the available imagery dates only as far back as 1995. This imagery showed little change along the route of the Project Area aside from the construction of the convenience store at the southeast corner of the intersection SH 21 and SH 95.

**Table 4-1. Documented cultural resources within 1.0 miles of Project Area**

<b>Site Trinomial, Cemetery, or Historic Property</b>	<b>Site Type</b>	<b>NRHP Eligibility Status</b>	<b>Distance/Direction from Property</b>	<b>Potential to be Impacted?</b>
Bastrop State Park	State Park and National Historic Landmark with historic-era campground features	Listed on the NRHP	East end of Project Area; enters the park boundaries	No features associated with park will be impacted
Bastrop Commercial District	Historic-era commercial district	Listed on the NRHP	0.6 miles west	No
Alta Vista Cemetery (BP-C028)	Cemetery	N/A	0.6 miles south	No
Fairview Cemetery (BP-C029; 41BP79)	Cemetery	N/A	0.2 miles north	No
41BP842	Historic-era homestead	Ineligible	0.1 miles northwest	No
41BP87	Prehistoric campsite	Undetermined	0.5 miles northwest	No
41BP376	Prehistoric campsite and historic-era debris scatter	Ineligible	0.9 miles northwest	No
41BP217	No site form available	Unknown	1.0 miles northwest	No
41BP339	Prehistoric campsite and historic-era water tower	Undetermined	0.9 miles west	No
41BP85	Historic-era road segment	Undetermined	0.9 miles southwest	No
41BP84	Prehistoric campsite with human burials	Undetermined	0.9 miles southwest	No
41BP314	Historic-era farmstead	Eligible	0.7 miles southwest	No
41BP86	Prehistoric campsite and historic-era homestead	Undetermined	0.7 miles southwest	No
41BP839	Historic-era railroad depot	Eligible	0.2 miles southwest	No
41BP837	Historic-era trash midden	Ineligible	0.2 miles southwest	No
41BP924	Prehistoric lithic procurement area	Ineligible	0.6 miles south	No
41BP375	Historic-era berm (possible logging tram grade)	Ineligible	0.6 miles southeast	No
41BP373	Prehistoric lithic scatter and historic-era debris scatter	Ineligible	0.6 miles southeast	No
41BP372	Historic-era dump	Ineligible	0.6 miles southeast	No

**Table 4-1. Documented cultural resources within 1.0 miles of Project Area (cont.)**

<b>Site Trinomial, Cemetery, or Historic Property</b>	<b>Site Type</b>	<b>NRHP Eligibility Status</b>	<b>Distance/Direction from Property</b>	<b>Potential to be Impacted?</b>
41BP83	Prehistoric campsite	Undetermined	0.5 miles east	No
41BP537	Historic-era dump	Ineligible	0.9 miles east	No
41BP536	Prehistoric campsite	Undetermined	0.9 miles east	No
41BP261	Prehistoric campsite	Undetermined	1.0 miles northeast	No
41BP870	Prehistoric campsite	Eligible	1.0 miles northeast	No
41BP377	Prehistoric campsite	Undetermined	0.9 miles northeast	No
41BP538	Prehistoric campsite	Ineligible	0.8 miles northeast	No
41BP374	Prehistoric lithic procurement area	Ineligible	0.6 miles northeast	No
41BP427	Prehistoric campsite	Undetermined	0.3 miles north	No
41BP80	Prehistoric campsite	Undetermined	0.4 miles north	No
41BP65	No site file available	Unknown	0.5 miles north	No
41BP291	Prehistoric campsite	Eligible	0.9 miles north	No
41BP81	Prehistoric campsite	Ineligible	0.9 miles north	No
41BP292	Prehistoric campsite	Eligible	1.0 miles north	No
Iron Bridge	Historic-era bridge	Listed on the NRHP	0.1 miles north	No
Casino Hall (41BP914)	Historic-era school and cultural center	Listed on the NRHP	0.2 miles northwest	No
House at 1316 Farm St.	Historic-era residence	Listed on the NRHP	0.2 miles northwest	No
Willis Miley House	Historic-era residence	Listed on the NRHP	0.2 miles northwest	No
Dr. C.A. Grimes House	Historic-era residence	Listed on the NRHP	0.3 miles northwest	No
House at 1301 Hill St.	Historic-era residence	Listed on the NRHP	0.4 miles northwest	No
Alf Griesenbeck House	Historic-era residence	Listed on the NRHP	0.4 miles northwest	No
W.E. Maynard House	Historic-era residence	Listed on the NRHP	0.4 miles northwest	No

**Table 4-1. Documented cultural resources within 1.0 miles of Project Area (cont.)**

<b>Site Trinomial, Cemetery, or Historic Property</b>	<b>Site Type</b>	<b>NRHP Eligibility Status</b>	<b>Distance/Direction from Property</b>	<b>Potential to be Impacted?</b>
Prince Elzner House	Historic-era residence	Listed on the NRHP	0.5 miles northwest	No
R.J. Brieger House	Historic-era residence	Listed on the NRHP	0.5 miles northwest	No
Calvary Episcopal Church	Historic-era church	Listed on the NRHP	0.6 miles northwest	No
Fowler-Jenkins House	Historic-era residence	Listed on the NRHP	0.6 miles northwest	No
Powell C. Maynard House	Historic-era residence	Listed on the NRHP	0.6 miles northwest	No
Mary Duval House	Historic-era residence	Listed on the NRHP	0.6 miles northwest	No
Hubbard-Trigg House	Historic-era residence	Listed on the NRHP	0.6 miles northwest	No
E.C. Erhard House	Historic-era residence	Listed on the NRHP	0.6 miles northwest	No
J.H. Percy House	Historic-era residence	Listed on the NRHP	0.7 miles northwest	No
Erhard House	Historic-era residence	Listed on the NRHP	0.7 miles northwest	No
August Baron House	Historic-era residence	Listed on the NRHP	0.7 miles northwest	No
Paul D. Page House	Historic-era residence	Listed on the NRHP	0.7 miles northwest	No
Kleinert House	Historic-era residence	Listed on the NRHP	0.7 miles northwest	No
L.W. Olive House	Historic-era residence	Listed on the NRHP	0.7 miles northwest	No
Clayton Erhard House	Historic-era residence	Listed on the NRHP	0.7 miles northwest	No
Hall-Sayers-Perkins House	Historic-era residence	Listed on the NRHP	0.7 miles northwest	No
Brooks-Wilbarger House	Historic-era residence	Listed on the NRHP	0.7 miles northwest	No
White House	Historic-era residence	Listed on the NRHP	0.7 miles northwest	No
S.L. Brannon House	Historic-era residence	Listed on the NRHP	0.7 miles northwest	No
Harriet and Charlie McNeil House	Historic-era residence	Listed on the NRHP	0.8 miles northwest	No

**Table 4-1. Documented cultural resources within 1.0 miles of Project Area (cont.)**

<b>Site Trinomial, Cemetery, or Historic Property</b>	<b>Site Type</b>	<b>NRHP Eligibility Status</b>	<b>Distance/Direction from Property</b>	<b>Potential to be Impacted?</b>
Waugh House	Historic-era residence	Listed on the NRHP	0.8 miles northwest	No
August Elzner House	Historic-era residence	Listed on the NRHP	0.8 miles northwest	No
J.T. Crysup House	Historic-era residence	Listed on the NRHP	0.8 miles northwest	No
Sarah Jane Orgain House	Historic-era residence	Listed on the NRHP	0.8 miles northwest	No
J.M. Holt House	Historic-era residence	Listed on the NRHP	0.8 miles northwest	No
Rufus A. Green House	Historic-era residence	Listed on the NRHP	0.8 miles northwest	No
Old Bastrop County Pavilion	Historic-era meeting hall	Listed on the NRHP	0.8 miles northwest	No
Fowler House	Historic-era residence	Listed on the NRHP	0.8 miles northwest	No
H.P. Lockett House	Historic-era residence	Listed on the NRHP	0.8 miles northwest	No
Orgain House	Historic-era residence	Listed on the NRHP	0.8 miles northwest	No
Allen-Bell House	Historic-era residence	Listed on the NRHP	0.8 miles northwest	No
Pheiffer House	Historic-era residence	Listed on the NRHP	0.9 miles northwest	No
House at 604 Elm St.	Historic-era residence	Listed on the NRHP	0.9 miles northwest	No
Jenkins House	Historic-era residence	Listed on the NRHP	0.9 miles northwest	No
Elbert S. Orgain House	Historic-era residence	Listed on the NRHP	0.9 miles northwest	No
Kohloer-McPhaul House	Historic-era residence	Listed on the NRHP	0.9 miles northwest	No
Crocheron-McDowall House	Historic-era residence	Listed on the NRHP	0.9 miles northwest	No
Gov. Joseph Sayers House	Historic-era residence	Listed on the NRHP	0.9 miles northwest	No
J.W. Pledger House	Historic-era residence	Listed on the NRHP	1.0 miles northwest	No
Bartholomew Manlove House	Historic-era residence	Listed on the NRHP	1.0 miles northwest	No

**Table 4-1. Documented cultural resources within 1.0 miles of Project Area (cont.)**

<b>Site Trinomial, Cemetery, or Historic Property</b>	<b>Site Type</b>	<b>NRHP Eligibility Status</b>	<b>Distance/Direction from Property</b>	<b>Potential to be Impacted?</b>
Marcellus McNeil House	Historic-era residence	Listed on the NRHP	1.0 miles northwest	No
Colorado River Bridge at Bastrop	Historic-era bridge	Listed on the NRHP	0.8 miles west	No
Miley House	Historic-era residence	Listed on the NRHP	0.7 miles west	No
Col. Jacob C. Higgins House	Historic-era residence	Listed on the NRHP	0.7 miles west	No
H.B. Combs House	Historic-era residence	Listed on the NRHP	0.7 miles west	No
Bastrop Christian Church	Historic-era church	Listed on the NRHP	0.7 miles west	No
Elzner's Corner Building	Historic-era commercial building	Listed on the NRHP	0.7 miles west	No
A.A. Elzner Merchandise Store	Historic-era commercial building	Listed on the NRHP	0.7 miles west	No
Building at 1017 Main St.	Historic-era commercial building	Listed on the NRHP	0.7 miles west	No
Building at 1009 Main St.	Historic-era commercial building	Listed on the NRHP	0.7 miles west	No
W.J. Miley Drug Store	Historic-era commercial building	Listed on the NRHP	0.7 miles west	No
Erhard and Son Drug Store	Historic-era commercial building	Listed on the NRHP	0.7 miles west	No
Louis Eilers Building	Historic-era commercial building	Listed on the NRHP	0.7 miles west	No
Building at 913 to 915 Main St.	Historic-era commercial building	Listed on the NRHP	0.7 miles west	No
Prokop Building	Historic-era commercial building	Listed on the NRHP	0.7 miles west	No
Building at 909 Main St.	Historic-era commercial building	Listed on the NRHP	0.7 miles west	No
Building at 905 to 907 Main St.	Historic-era commercial building	Listed on the NRHP	0.7 miles west	No
Union Hall	Historic-era meeting hall	Listed on the NRHP	0.7 miles west	No
Ascension Catholic Church	Historic-era church	Listed on the NRHP	0.6 miles west	No
Burger House	Historic-era residence	Listed on the NRHP	0.6 miles west	No



**Table 4-1. Documented cultural resources within 1.0 miles of Project Area (cont.)**

<b>Site Trinomial, Cemetery, or Historic Property</b>	<b>Site Type</b>	<b>NRHP Eligibility Status</b>	<b>Distance/Direction from Property</b>	<b>Potential to be Impacted?</b>
Burger House	Historic-era residence	Listed on the NRHP	0.6 miles west	No
Bastrop Opera House	Historic-era opera house	Listed on the NRHP	0.6 miles west	No
Elzner Hardware Building	Historic-era commercial building	Listed on the NRHP	0.6 miles west	No
T.A. Hasler Building	Historic-era commercial building	Listed on the NRHP	0.6 miles west	No
Building at 1030 Main St.	Historic-era commercial building	Listed on the NRHP	0.6 miles west	No
Old First National Bank	Historic-era bank building	Listed on the NRHP	0.6 miles west	No
Schill Building	Historic-era commercial building	Listed on the NRHP	0.6 miles west	No
Building at 1006 Main St.	Historic-era commercial building	Listed on the NRHP	0.6 miles west	No
J.M. Holt Building	Historic-era commercial building	Listed on the NRHP	0.6 miles west	No
B.D. and E.S. Orgain Building	Historic-era commercial building	Listed on the NRHP	0.6 miles west	No
Citizens State Bank	Historic-era bank building	Listed on the NRHP	0.6 miles west	No
Building at 926 Main St.	Historic-era commercial building	Listed on the NRHP	0.6 miles west	No
E.G. Guse Building	Historic-era commercial building	Listed on the NRHP	0.6 miles west	No
William Miller Building	Historic-era commercial building	Listed on the NRHP	0.6 miles west	No
Bastrop County Courthouse and Jail (41BP340)	Historic-era legal complex	Listed on the NRHP	0.5 miles west	No
Mrs. William R. Reding House	Historic-era residence	Listed on the NRHP	0.5 miles west	No
Joe Jung House	Historic-era residence	Listed on the NRHP	0.5 miles west	No
J.C. Buchanan House	Historic-era residence	Listed on the NRHP	0.5 miles west	No
Oliver P. Jones House	Historic-era residence	Listed on the NRHP	0.5 miles west	No

**Table 4-1. Documented cultural resources within 1.0 miles of Project Area (cont.)**

<b>Site Trinomial, Cemetery, or Historic Property</b>	<b>Site Type</b>	<b>NRHP Eligibility Status</b>	<b>Distance/Direction from Property</b>	<b>Potential to be Impacted?</b>
Erna Griesenbeck House	Historic-era residence	Listed on the NRHP	0.5 miles west	No
A.A. Erhard House	Historic-era residence	Listed on the NRHP	0.5 miles west	No
T.A. Hasler House	Historic-era residence	Listed on the NRHP	0.5 miles west	No
Adolf A. Erhard House	Historic-era residence	Listed on the NRHP	0.5 miles west	No
R.J. Griesenbeck House	Historic-era residence	Listed on the NRHP	0.4 miles west	No
Emelia Hasler House	Historic-era residence	Listed on the NRHP	0.4 miles west	No
House at 1002 Pine St.	Historic-era residence	Listed on the NRHP	0.4 miles west	No
Dawson House	Historic-era residence	Listed on the NRHP	0.4 miles west	No
Ed Bastain-Haralson House	Historic-era residence	Listed on the NRHP	0.4 miles west	No
George W. Davis House	Historic-era residence	Listed on the NRHP	0.4 miles west	No
House at 1108 Hill St.	Historic-era residence	Listed on the NRHP	0.4 miles west	No
Campbell Taylor and Greenlief Fisk House	Historic-era residence	Listed on the NRHP	0.3 miles west	No
Minnie Wilkes House	Historic-era residence	Listed on the NRHP	0.3 miles west	No
House at 1105 Hill St.	Historic-era residence	Listed on the NRHP	0.3 miles west	No
MKT Depot	Historic-era railway depot	Listed on the NRHP	0.2 miles west	No
House at 1308 Fayette St.	Historic-era residence	Listed on the NRHP	0.1 miles west	No
Kerr Community Center (41BP687)	Historic-era community center	Listed on the NRHP	0.2 miles southwest	No
Beverly and Lula Kerr House	Historic-era residence	Listed on the NRHP	0.2 miles southwest	No
Ploeger-Kerr-White House	Historic-era residence	Listed on the NRHP	0.2 miles southwest	No
Jennie Brooks House	Historic-era residence	Listed on the NRHP	0.4 miles southwest	No

**Table 4-1. Documented cultural resources within 1.0 miles of Project Area (cont.)**

<b>Site Trinomial, Cemetery, or Historic Property</b>	<b>Site Type</b>	<b>NRHP Eligibility Status</b>	<b>Distance/Direction from Property</b>	<b>Potential to be Impacted?</b>
House at 1002 Walnut St.	Historic-era residence	Listed on the NRHP	0.4 miles southwest	No
Rabensburg House	Historic-era residence	Listed on the NRHP	0.5 miles southwest	No
S.C. Jenkins House	Historic-era residence	Listed on the NRHP	0.5 miles southwest	No
Griesenbeck House	Historic-era residence	Listed on the NRHP	0.5 miles southwest	No
House at 806 Jefferson St.	Historic-era residence	Listed on the NRHP	0.5 miles southwest	No
W. Wilke House	Historic-era residence	Listed on the NRHP	0.5 miles southwest	No
Eugene Harlson House	Historic-era residence	Listed on the NRHP	0.5 miles southwest	No
Alf Jung House	Historic-era residence	Listed on the NRHP	0.6 miles southwest	No
Judge R. Batts House	Historic-era residence	Listed on the NRHP	0.6 miles southwest	No
W.F. Schaeffer House	Historic-era residence	Listed on the NRHP	0.6 miles southwest	No
P.O. Elzner House	Historic-era residence	Listed on the NRHP	0.6 miles southwest	No
House at 703 and 704 Austin St.	Historic-era residence	Listed on the NRHP	0.6 miles southwest	No
Richard Starcke House	Historic-era residence	Listed on the NRHP	0.6 miles southwest	No
Richard Starcke House	Historic-era residence	Listed on the NRHP	0.6 miles southwest	No
John Cornelsun House	Historic-era residence	Listed on the NRHP	0.6 miles southwest	No
Farm House	Historic-era residence	Listed on the NRHP	0.7 miles southwest	No
House at 311 Pecan St.	Historic-era residence	Listed on the NRHP	0.7 miles southwest	No
House at 809 Main St.	Historic-era residence	Listed on the NRHP	0.7 miles southwest	No
House at 807 Main St.	Historic-era residence	Listed on the NRHP	0.7 miles southwest	No
House at 805 Main St.	Historic-era residence	Listed on the NRHP	0.7 miles southwest	No

**Table 4-1. Documented cultural resources within 1.0 miles of Project Area (cont.)**

<b>Site Trinomial, Cemetery, or Historic Property</b>	<b>Site Type</b>	<b>NRHP Eligibility Status</b>	<b>Distance/Direction from Property</b>	<b>Potential to be Impacted?</b>
George Washington Jones House	Historic-era residence	Listed on the NRHP	0.6 miles south	No

While the aerial imagery was available for only the past few decades, topographic quadrangle maps were available for the years between 1885 and 1986. These maps show that the current alignment of SH 21 is present from 1950 until the present. Prior to 1950, the 1899 through 1944 topographic quadrangles show that the alignment of SH 21 was shifted slightly to the south on the west side of the tributary of Gills Branch (Figure 4-2). This suggests that roughly the western half of the current Project Area is located within the prior alignment of the roadbed. This is also supported in part by the unnatural, linear topography visible to the west of the tributary of Gills Branch on the later topographic quadrangles (Figure 4-3).

#### **4.4 PROBABILITY ASSESSMENT**

The Project Area extends along the southern edge of the modern alignment of SH 21. This area has experienced considerable impacts in the past from roadway construction, bridge construction, and utility installation. Moreover, archival research has shown that a portion of the Project Area is also located within the former alignment of SH 21 that was utilized between 1899 and 1950 (see Figures 2-6, 4-2, and 4-3). With this in mind, it was Horizon's opinion prior to the field efforts that there existed a relatively low potential for any deeply buried and intact cultural deposits that could be eligible for formal designation as SALs or for inclusion in the NRHP within the Project Area.

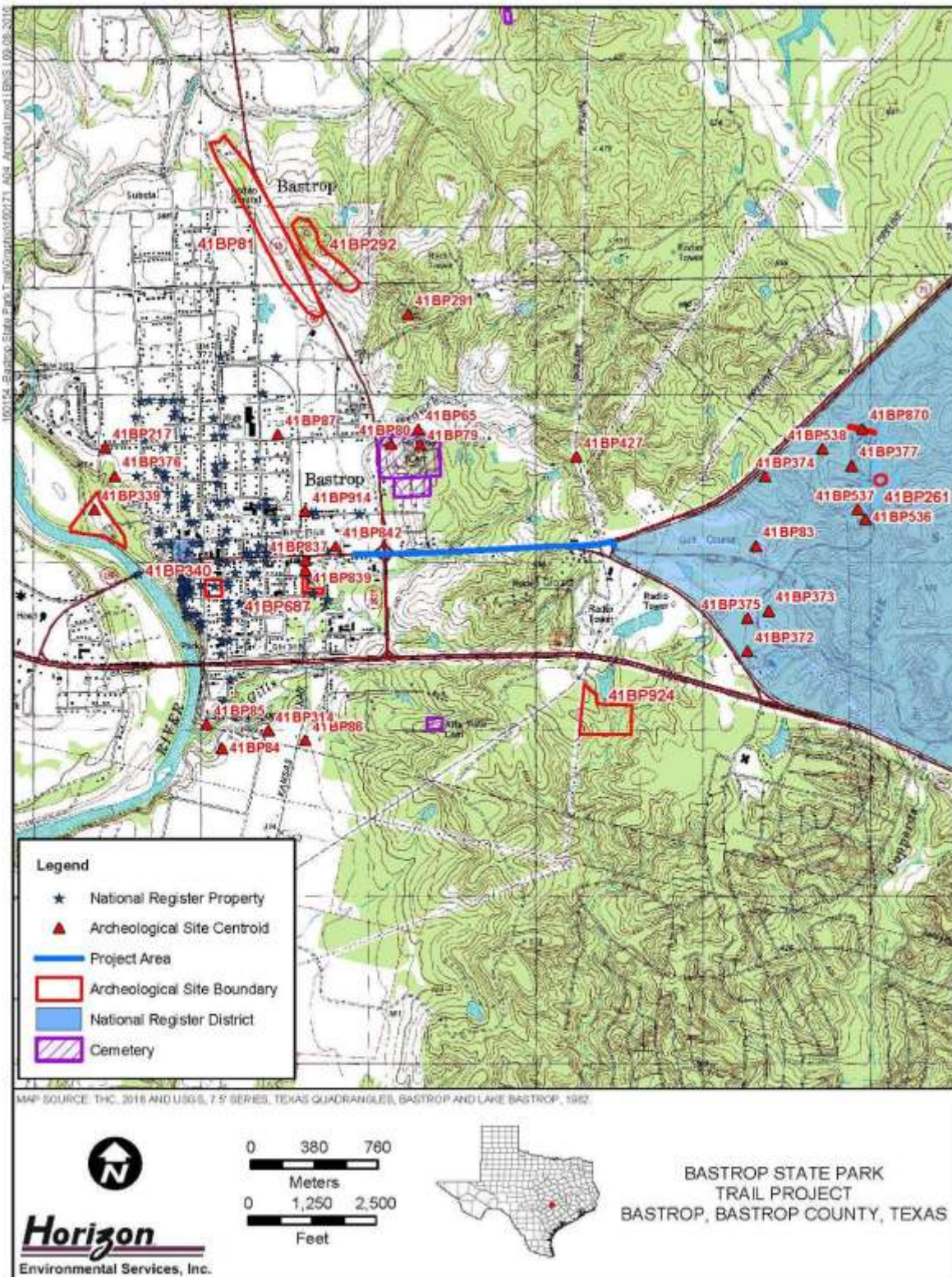


Figure 4-1. Documented cultural resources in the vicinity of the Project Area

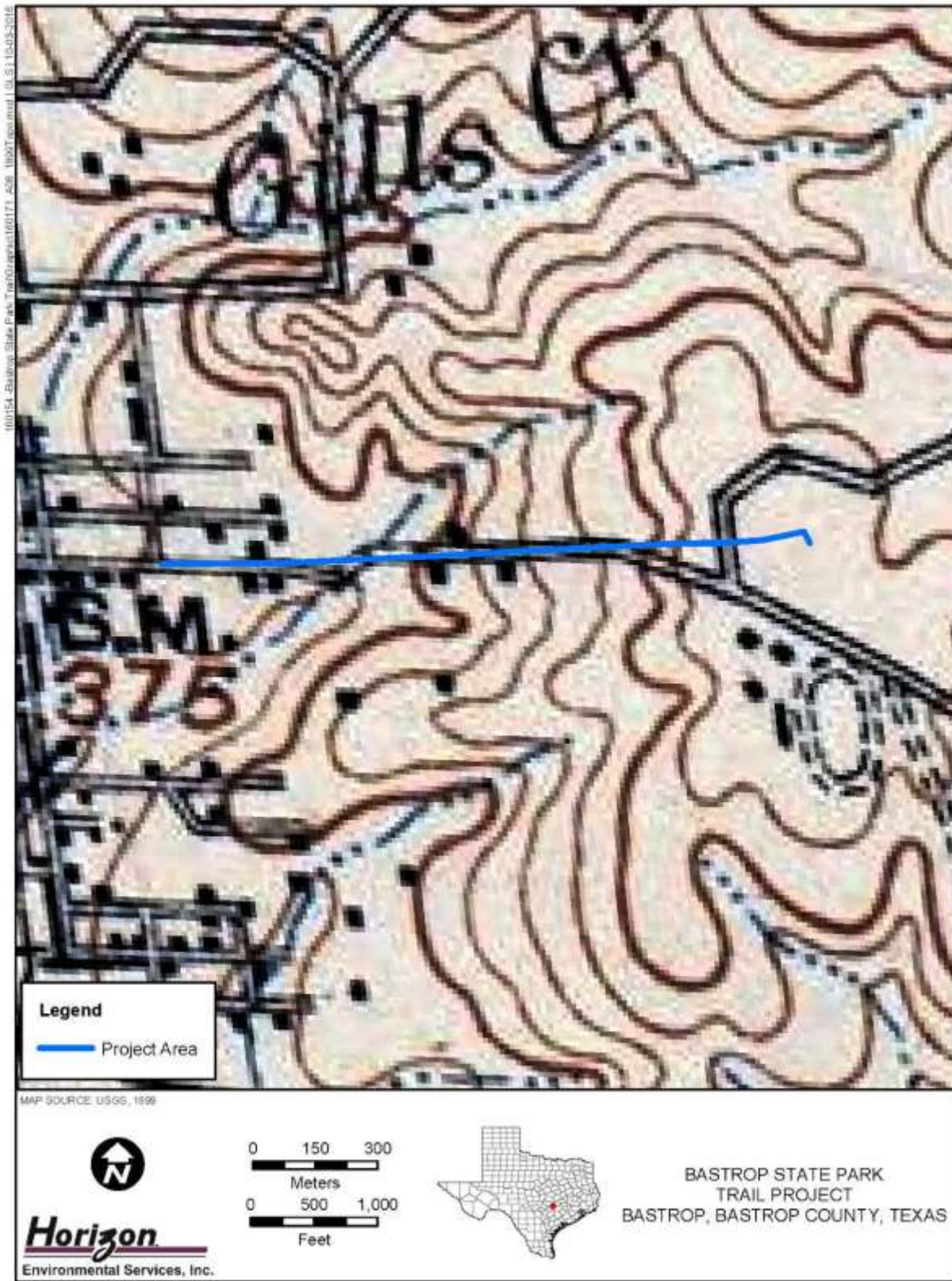


Figure 4-2. 1899 topographic quadrangle showing prior SH 21 alignment

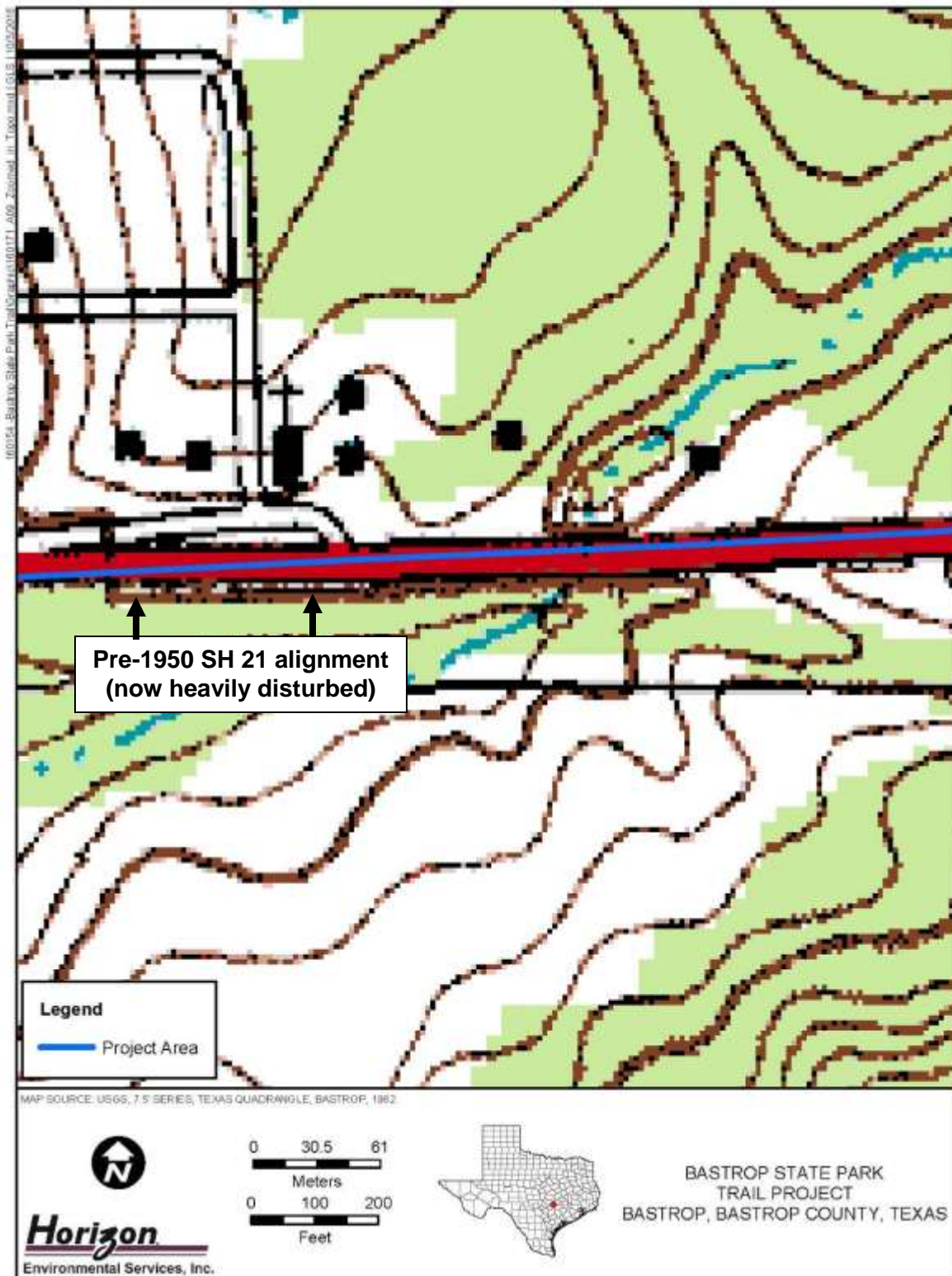


Figure 4-3. Recent topographic quadrangle showing unnatural linear topography





## **5.0 SURVEY METHODOLOGY**

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A 2-person Horizon archeological field crew conducted the survey of the Project Area on 21 September 2016. This entailed intensive surface inspection and subsurface shovel testing efforts along the length of the Project Area. The TSMASS require a minimum of 16 shovel tests per mile for linear projects measuring up to 100.0 feet (30.5 m) in width. As the Project Area totals 1.0 miles (1.2 km) in length, a minimum of 16 shovel tests was necessary in order to comply with the TSMASS. Horizon exceeded the TSMASS by excavating a total of 29 shovel tests within the Project Area. All excavated matrices were screened through 0.25-inch (6.3-millimeter [mm]) hardware mesh or were trowel-sorted if the dense clay soils prohibited successful screening.

Field notes were maintained on terrain, vegetation, soils, land forms, shovel tests, and cultural materials observed (if any). Standardized shovel test forms were completed for every shovel test. These forms included location data, depth, soil type, and notations on any artifacts encountered. If any new archeological sites were recorded, standard site forms were to be completed and filed at the Texas Archeological Research Laboratory (TARL) for permanent housing. Similarly, if any previously recorded archeological sites were assessed, updated site forms were to be completed and filed at TARL.

A selective collection strategy was utilized during the survey efforts wherein only diagnostic cultural materials were to be collected for eventual curation at an approved facility or for return to the appropriate landowner. Non-diagnostic artifacts were to be tabulated and assessed in the field and placed back where they were found. Digital photographs with a photo log were completed as appropriate. The locations of all shovel tests were recorded via handheld global positioning system (GPS) units utilizing the Universal Transverse Mercator (UTM) coordinate system and the North American Datum of 1983 (NAD 83). Shovel test locations are presented in Figure 5-1. Shovel test data are presented in Appendix A.

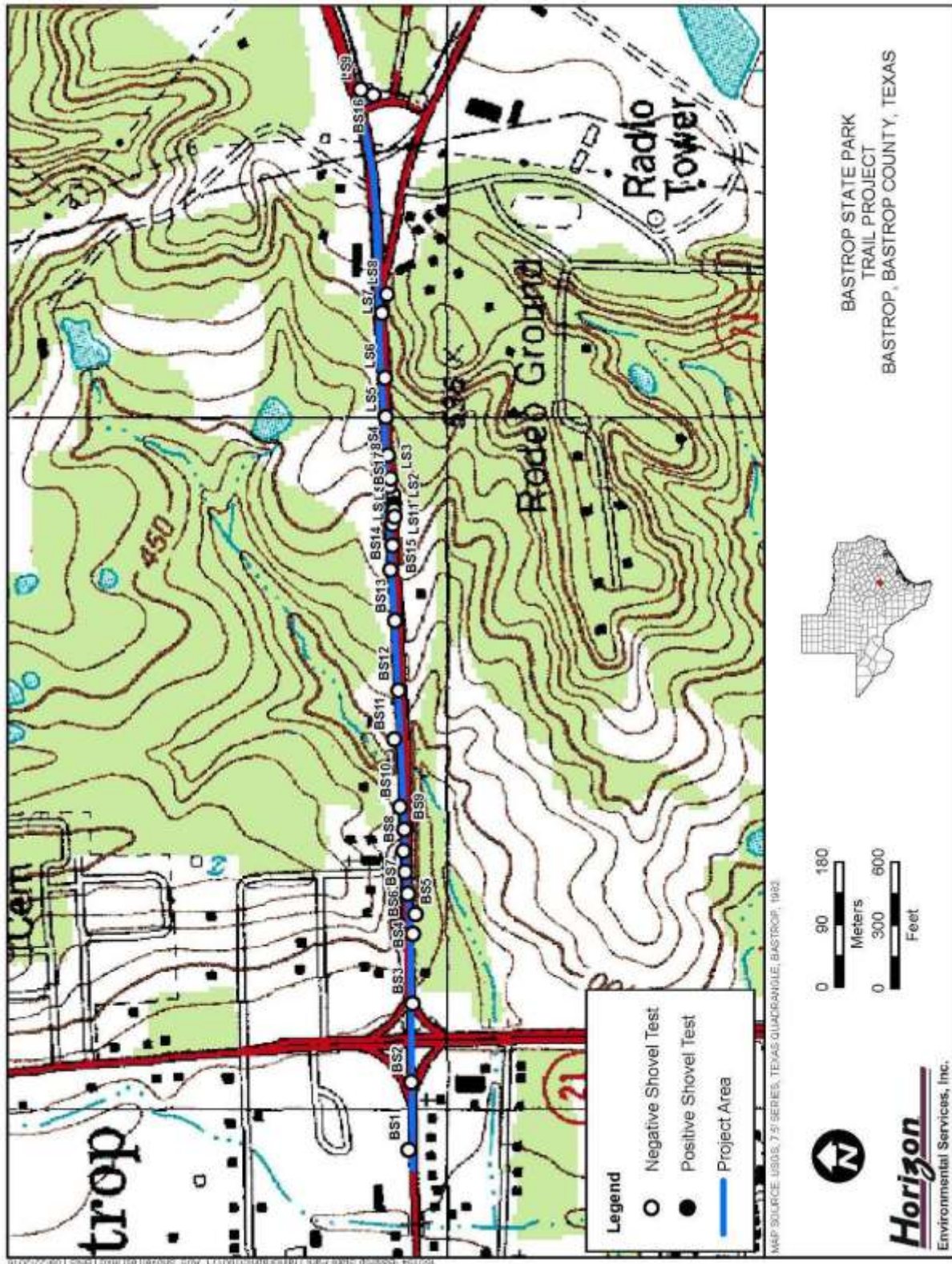


Figure 5-1. Shovel test locations within Project Area

## **6.0 RESULTS**

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As anticipated, Horizon's survey of the Project Area found that it extends along a route that has been previously impacted by prior highway and infrastructure construction, utility installation, and various other forms of modern development that have left little to no potential for intact cultural deposits. Despite this, the survey resulted in the documentation of 1 newly recorded historic-era archeological site. This site, 41BP950, is discussed below.

### **6.1 41BP950**

#### **General Description**

Site 41BP950 is a newly recorded archeological site that was documented as a low-density scatter of mid-20th century domestic debris (Figures 6-1 and 6-2). It is located on the crest of a ridge immediately south of SH 120 and approximately 365.9 m (1,200.0 feet) east of an unnamed tributary of Gills Branch. It is located on the eastern side of an existing driveway that leads to a modern residence a short distance to the southwest of the site. The area containing the site has been heavily disturbed by the construction of SH 21 as well as power and water lines. Vegetation consists of dense ragweed, greenbrier, prickly pear cacti, mature pine trees, and various grasses and weeds (Figures 6-3 and 6-4). A total of 7 shovel tests were excavated on this site. Of these, only 1 produced cultural materials from subsurface contexts.

As noted above, site 41BP950 is located a short distance to the northeast of a house structure that is visible on the most recent (1982) topographic quadrangle, which may suggest that it could be associated with this residence (see Figure 6-1). However, this structure is not present on the 1972 topographic quadrangle. Rather, 2 structures are shown just south of the location of site 41BP950 on the 1972 and 1948 topographic quadrangle maps, suggesting that the observed cultural debris is likely associated with these earlier occupations, both of which appear to have been removed at some point during the modern development of the area (Figure 6-5).

#### **Observed Cultural Materials**

Cultural materials observed on site 41BP950 consist entirely of domestic refuse (Figures 6-6 and 6-7). Observed materials include clear and opaque glass shards, whiteware ceramic sherds, metal pull-tab cans, a screw-top bottle with a "Duraglass" makers mark embossed on

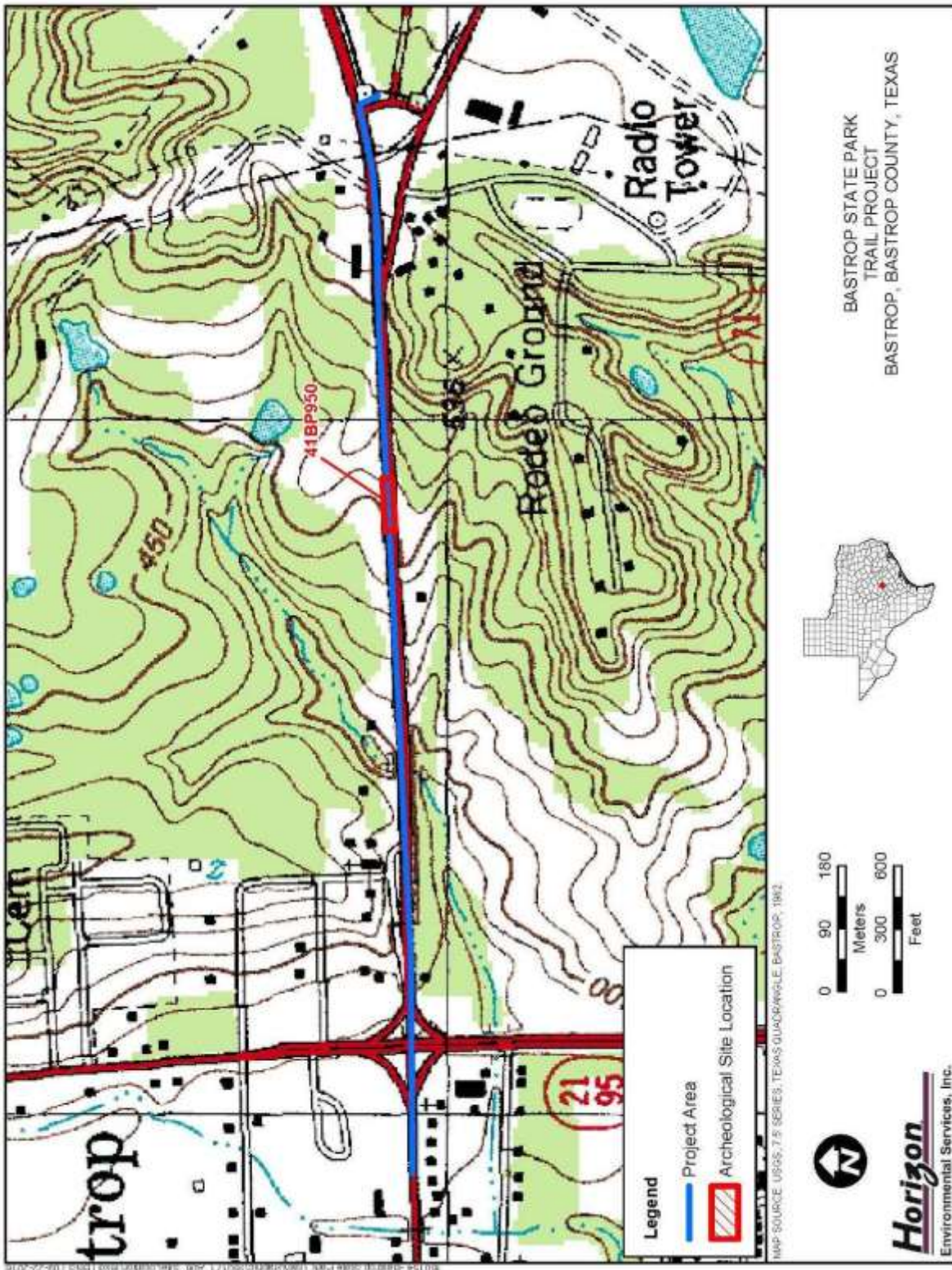


Figure 6-1. Location of 41BP950 within the Project Area

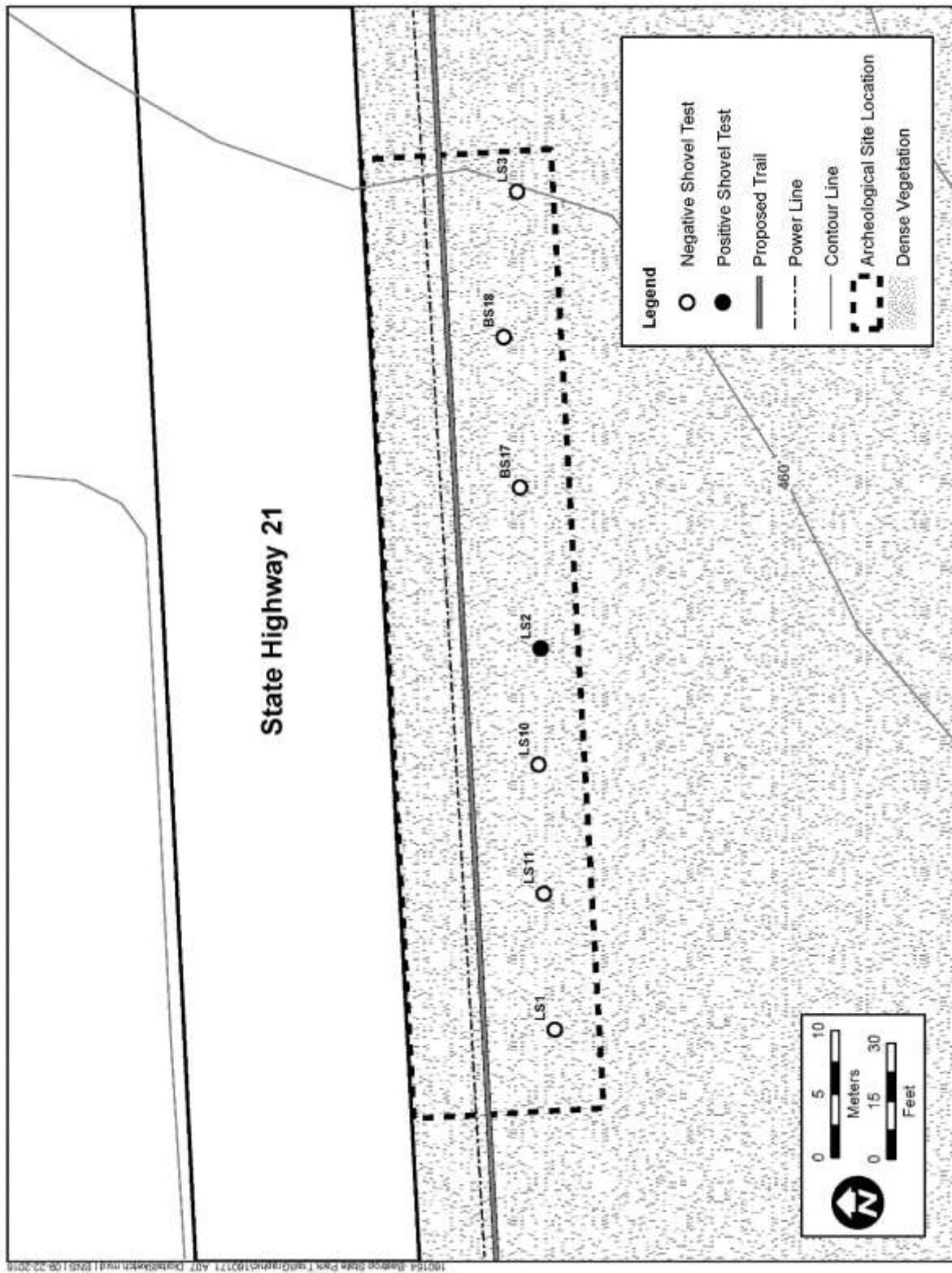


Figure 6-2. Sketch map of site 41BP950



**Figure 6-3. Site 41BP950 facing east**



**Figure 6-4. Site 41BP950 facing west**

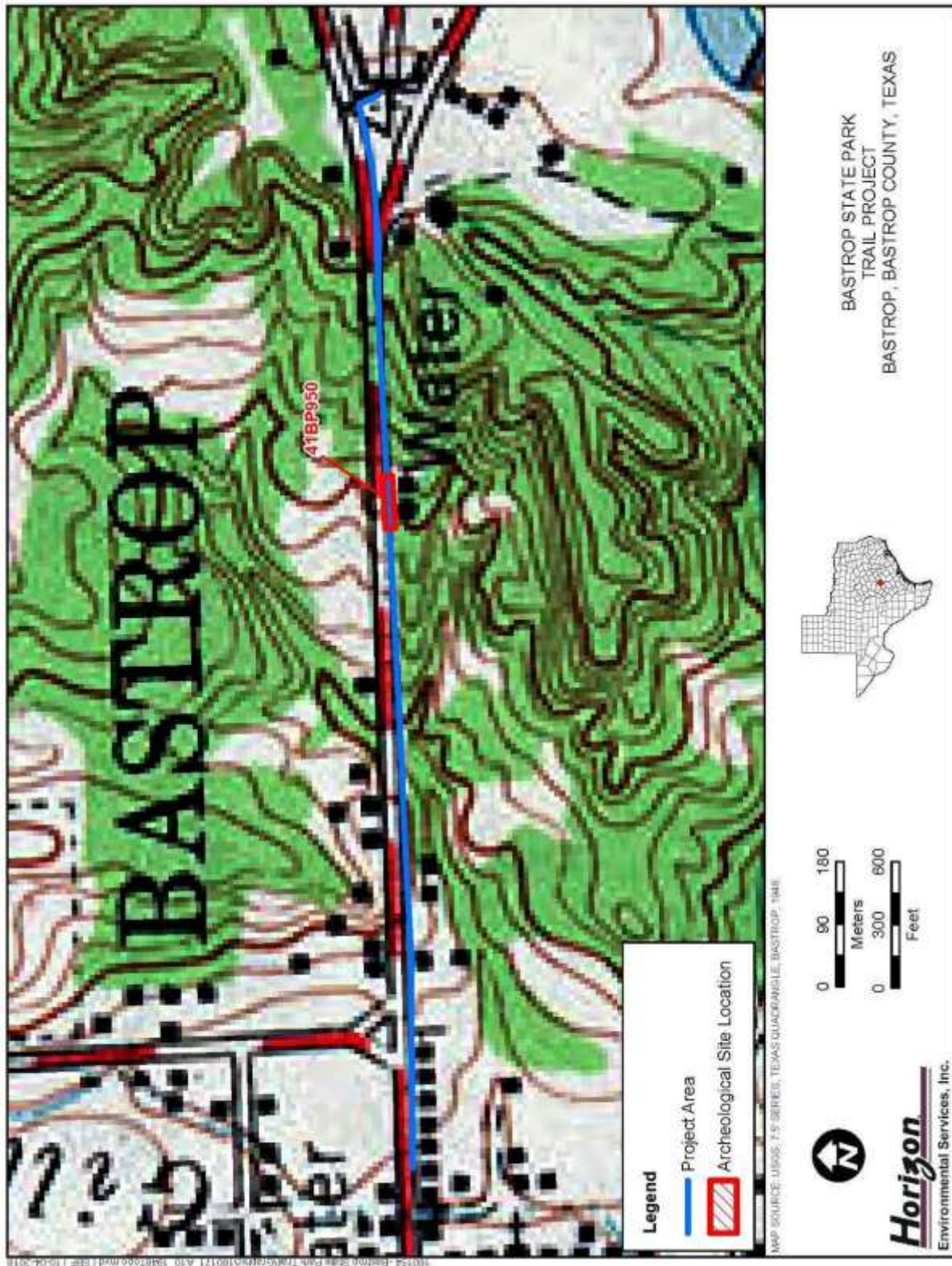


Figure 6-5. Structures near location of site 41BP950 on 1948 topographic quadrangle



Figure 6-6. Glass specimens from site 41BP950



Figure 6-7. Tin cans from site 41BP950



the base and an unidentified symbol embossed on the body consisting of the letter "Z" attached to the top of the number 3.

While a reference for the marker consisting of the attached "Z" and "3" could not be found, the specimen with the embossed "Duraglass" logo points to a mid-20th century utilization of site 41BP950. Duraglass is a process used by the Owens-Corning Glass Company to produce scratch-resistant bottles by spraying stannic chloride vapor on heated bottle bodies. This process and the embossed logo began in the 1940s and continued until the mid-1950s (SHA 2016).

### **Cultural Features**

No evidence of any intact cultural features was observed on the surface of the site or within any of the 7 excavated shovel tests.

### **Horizontal and Vertical Extents of the Cultural Materials**

Based on the extent of the observed cultural materials, the assessed horizontal extent of the site measures approximately 77.4 m (254.0 feet) east to west by 15.2 m (50.0 feet) north to south.

Based on the subsurface shovel testing efforts, the vertical extent of the site ranges between 0.0 and 20.0 cm (0.0 and 7.9 inches) below surface.

### **Summary**

Site 41BP950 was documented as a mid-20th century debris scatter that is likely associated with 1 or 2 residences that once stood just south of this location. The first use of the site is evidenced by 2 house structures on the 1948 topographic map. Both structures are still present on the 1972 topographic quadrangle, but they appear to have been removed by 1982, likely during the construction of the overhead powerline that spans this location. The recovery of a bottle on the site possessing a "Duraglass" makers mark, typically dating to the late 1940s to 1950s, supports the assessed mid-20th century utilization of the site.

Based on the lack of aboveground architecture and the sparseness of the remaining debris, it is Horizon's opinion that site 41BP950 is ineligible for inclusion in the NRHP under Criteria C and D. Additional archival research would be necessary to evaluate its potential association with events or persons of historic importance under Criteria A and B of the NRHP. However, as 20th-century homesteads are a common site type, such sites must retain substantial integrity of location, design, setting, materials, workmanship, feeling, and association in order to establish significance under the NHPA. Given the sparsity of materials on the site and the absence of standing structures, it is unlikely that any possible association with persons or events of historic importance would be sufficient to establish significance under Criteria A or B of the NRHP. Thus, it is Horizon's opinion that site 41BP950 is ineligible for inclusion in the NRHP or for formal designation as an SAL, and that no further investigations are warranted on this site in connection with the proposed undertaking.

## 6.2 BASTROP STATE PARK

The eastern end of the Project Area terminates at the entrance of Bastrop State Park, a listed NRHP district and NHL. As the Project Area does not extend into the park, the undertaking poses no adverse effects to any subsurface cultural deposits or aboveground features associated with this NRHP district/NHL.

## **7.0 SUMMARY AND RECOMMENDATIONS**

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### **7.1 SUMMARY**

On 21 September 2016, Horizon conducted an intensive cultural resources survey of the proposed Bastrop State Park Trail Project located on the east side of Bastrop in Bastrop County, Texas. The City of Bastrop is proposing the construction of approximately 1.0 miles (1.6 km) of pedestrian/bicycle trail to connect Bastrop State Park to existing sidewalks along Chestnut Street near downtown Bastrop. The proposed trail would extend along the south side of SH 21 within existing roadway easements. As the undertaking is located on public property, it would fall under the regulations of the ACT. In addition, the proposed trail would traverse a tributary of Gills Branch. This crossing may require the use of a NWP issued by the USACE. As NWPs are federal permits, the portion of the undertaking under the purview of the USACE would also fall under the regulations of Section 106 of the NHPA of 1966, as amended. At the request of City of Bastrop, Horizon conducted the cultural resources survey of the Project Area in compliance with the ACT and Section 106 of the NHPA. The purpose of the survey was to determine if any significant archeological deposits are located within the Project Area and, if any exist, to determine if the project has the potential to have any adverse effects on sites eligible for formal designation as SALs or listed on or considered eligible for listing on the NRHP. The cultural resources investigations were conducted under TAC permit no. 7778.

The survey of the Project Area entailed intensive surface inspection and subsurface shovel testing efforts within the Project Area. The TSMASS require a minimum of 16 shovel tests per mile for linear projects measuring up to 100.0 feet (30.5 m) in width. As the Project Area totaled 1.0 miles (1.6 km) in length, a minimum of 16 shovel tests was necessary in order to comply with the TSMASS. Horizon exceeded the TSMASS by excavating a total of 29 shovel tests along the length of the Project Area.

As the Project Area extends along the southern edge of SH 21, the cultural resources survey resulted in the observation that the vast majority of the Project Area has been previously impacted by highway and infrastructure construction, utility installation, and various other forms of modern development. Despite this, the survey resulted in the documentation of 1 newly recorded historic-era archeological site. Site 41BP950 was documented as a historic-era debris scatter dating to the mid-20th century. Based on the lack of aboveground architecture and the sparsity of the remaining materials, it is Horizon's opinion that site 41BP950 is ineligible for

formal designation as an SAL or for inclusion in the NRHP. No additional investigations are recommended on this site in connection with the current undertaking.

## **7.2 RECOMMENDATIONS**

Based on the assessment that site 41BP950 does not warrant formal designation as an SAL or inclusion in the NRHP, it is Horizon's opinion that the development of Bastrop State Park Trail Project will pose no adverse effects on significant cultural resources that are eligible for formal designation as SALs or that are listed on or considered eligible for listing on the NRHP. Horizon therefore recommends that the undertaking be allowed to proceed relative to the jurisdiction of the ACT, the USACE, and Section 106 of the NHPA. However, in the unlikely event that any cultural materials (including human remains or burial features) are inadvertently discovered at any point during construction, use, or ongoing maintenance within the Project Area, even in previously surveyed areas, all work at the location of the discovery should cease immediately, and the THC should be notified of the discovery.

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**APPENDIX A:**

**Shovel Test Data**



**Table A-1. Shovel Test Summary Data**

ST No.	UTM Coordinates <sup>1</sup>		Depth (cmbs)	Soils	Artifacts
	Easting	Northing			
BS1	662911	3332251	0-25	Brown sandy loam	Modern trash (disturbed)
			25+	Rock	None
BS2	663009	3332248	0-10	Brown gravelly sandy loam	Modern trash (disturbed)
			10+	Gravels	None
BS3	663123	3332246	0-25	Dark grayish-brown sandy loam	Modern trash (disturbed)
			25+	Gravels	None
BS4	663223	3332245	0-30	Grayish-brown sandy loam	None
			30-50	Yellowish-brown loamy sand	None
			50-60+	Dark yellowish-brown sandy clay	None
BS5	663252	663252	0-15	Gravelly sandy clay	Dense gravels on surface
			15+	Compact gravels	None
BS6	663282	3332253	0-15	Gravelly sandy clay	Dense gravels on surface
			15+	Compact gravels	None
BS7	663313	3332256	0-30+	Mottled clay	Modern trash
BS8	663344	3332259	0-30+	Mottled clay	None
BS9	663375	3332257	0-50	Yellowish-brown sandy loam	Modern trash
			50-60+	Mottled clay with sandstone inclusions	None
BS10	663407	3332264	0-30	Dark grayish-brown sandy clay loam	Modern trash
			30-35+	Reddish-brown clay	None
BS11	663505	3332272	0-15	Yellowish-brown gravelly sandy loam	Modern trash
			15+	Rock	None
BS12	663576	3332266	0-20	Yellowish-brown gravelly sandy loam	Modern trash
			20+	Compact gravels	None
BS13	663677	3332271	0-20	Yellowish-brown gravelly sandy loam	None
			20-25+	Red compact sandy clay	None
BS14	663751	3332278	0-30	Yellowish-brown gravelly sandy loam	None
			30-35+	Reddish-brown clay	None
BS15	663785	3332275	0-25+	Reddish-brown sandy clay	None

Table A-1. Shovel Test Summary Data (cont.)

ST No.	UTM Coordinates <sup>1</sup>		Depth (cmbs)	Soils	Artifacts
	Easting	Northing			
BS16	664438	3332303	0-50	Yellowish-brown gravelly sandy loam	None
			50-55+	Compact gravels	None
BS17	663859	3332273	0-20	Yellowish-brown gravelly sandy clay loam	None
			20-25+	Red rocky clay	None
BS18	663871	3332279	0-25	Reddish-brown gravelly clay	Modern trash
			25+	Rock	None
LS1	663816	3332275	0-5	Brown sandy loam	None
			5-10	Yellowish-brown sandy clay loam	None
			10-30+	Reddish-brown clay	None
LS2	663846	3332272	0-20	Brownish-yellow fine sand	2 whiteware sherds; 2 clear glass shards
			20-40	Brownish-yellow fine sand	None
			40-50	Brownish-yellow fine sand	None
			50+	Bedrock	None
LS3	663882	3332278	0-30	Brownish-yellow fine sand	Modern trash
			30+	Dense gravels	None
LS4	663916	3332282	0-40	Reddish-brown sandy loam	Modern trash
			40-50+	Mottled clay with dense gravels	None
LS5	663972	3332284	0-30+	Mottled clay with dense gravels	None
LS6	664028	3332286	0-10	Reddish-brown fine sandy loam	None
			10-20	Reddish-brown sandy clay loam	None
			20-30	Reddish-brown fine sandy loam	None
			30-40+	Brown fine sandy with dense gravels	None
LS7	664122	3332290	0-25	Reddish-brown sandy clay	None
			25-30+	Yellowish-brown fine sand above dense gravel layer	None
LS8	664149	3332283	0-30	Dark reddish-brown sandy loam	None
			30-35+	Red clay	None
LS9	664445	3332321	0-30	Dark reddish-brown sandy loam	None
			30-40+	Brownish-red clay with dense gravels	None

**Table A-1. Shovel Test Summary Data (cont.)**

ST No.	UTM Coordinates <sup>1</sup>		Depth (cmbs)	Soils	Artifacts
	Easting	Northing			
LS10	663836	3332273	0-10	Brownish-red sandy loam	None
			10-30+	Dark red clay	None
LS11	663827	3332271	0-10	Brownish-red sandy loam	None
			10-30+	Dark red clay	None

<sup>1</sup> All UTM coordinates are located in Zone 14 and utilize the North American Datum of 1983 (NAD 83).

cmbs = Centimeters below surface

ST = Shovel test

UTM = Universal Transverse Mercator

**CONFLICT OF INTEREST QUESTIONNAIRE**  
**For vendor doing business with local governmental entity**

**FORM CIQ**

**This questionnaire reflects changes made to the law by H.B. 23, 84th Leg., Regular Session.**

This questionnaire is being filed in accordance with Chapter 176, Local Government Code, by a vendor who has a business relationship as defined by Section 176.001(1-a) with a local governmental entity and the vendor meets requirements under Section 176.006(a).

By law this questionnaire must be filed with the records administrator of the local governmental entity not later than the 7th business day after the date the vendor becomes aware of facts that require the statement to be filed. See Section 176.006(a-1), Local Government Code.

A vendor commits an offense if the vendor knowingly violates Section 176.006, Local Government Code. An offense under this section is a misdemeanor.

**OFFICE USE ONLY**

Date Received

**1 Name of vendor who has a business relationship with local governmental entity.**

**2**  **Check this box if you are filing an update to a previously filed questionnaire.** (The law requires that you file an updated completed questionnaire with the appropriate filing authority not later than the 7th business day after the date on which you became aware that the originally filed questionnaire was incomplete or inaccurate.)

**3 Name of local government officer about whom the information is being disclosed.**

\_\_\_\_\_  
 Name of Officer

**4 Describe each employment or other business relationship with the local government officer, or a family member of the officer, as described by Section 176.003(a)(2)(A). Also describe any family relationship with the local government officer. Complete subparts A and B for each employment or business relationship described. Attach additional pages to this Form CIQ as necessary.**

A. Is the local government officer or a family member of the officer receiving or likely to receive taxable income, other than investment income, from the vendor?

Yes       No

B. Is the vendor receiving or likely to receive taxable income, other than investment income, from or at the direction of the local government officer or a family member of the officer AND the taxable income is not received from the local governmental entity?

Yes       No

**5 Describe each employment or business relationship that the vendor named in Section 1 maintains with a corporation or other business entity with respect to which the local government officer serves as an officer or director, or holds an ownership interest of one percent or more.**

**6**  Check this box if the vendor has given the local government officer or a family member of the officer one or more gifts as described in Section 176.003(a)(2)(B), excluding gifts described in Section 176.003(a-1).

**7**

\_\_\_\_\_  
 Signature of vendor doing business with the governmental entity

\_\_\_\_\_  
 Date

## **CONFLICT OF INTEREST QUESTIONNAIRE**

### **For vendor doing business with local governmental entity**

A complete copy of Chapter 176 of the Local Government Code may be found at <http://www.statutes.legis.state.tx.us/Docs/LG/htm/LG.176.htm>. For easy reference, below are some of the sections cited on this form.

**Local Government Code § 176.001(1-a):** "Business relationship" means a connection between two or more parties based on commercial activity of one of the parties. The term does not include a connection based on:

- (A) a transaction that is subject to rate or fee regulation by a federal, state, or local governmental entity or an agency of a federal, state, or local governmental entity;
- (B) a transaction conducted at a price and subject to terms available to the public; or
- (C) a purchase or lease of goods or services from a person that is chartered by a state or federal agency and that is subject to regular examination by, and reporting to, that agency.

**Local Government Code § 176.003(a)(2)(A) and (B):**

(a) A local government officer shall file a conflicts disclosure statement with respect to a vendor if:

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(2) the vendor:

(A) has an employment or other business relationship with the local government officer or a family member of the officer that results in the officer or family member receiving taxable income, other than investment income, that exceeds \$2,500 during the 12-month period preceding the date that the officer becomes aware that

- (i) a contract between the local governmental entity and vendor has been executed;
- or
- (ii) the local governmental entity is considering entering into a contract with the vendor;

(B) has given to the local government officer or a family member of the officer one or more gifts that have an aggregate value of more than \$100 in the 12-month period preceding the date the officer becomes aware that:

- (i) a contract between the local governmental entity and vendor has been executed; or
- (ii) the local governmental entity is considering entering into a contract with the vendor.

**Local Government Code § 176.006(a) and (a-1)**

(a) A vendor shall file a completed conflict of interest questionnaire if the vendor has a business relationship with a local governmental entity and:

- (1) has an employment or other business relationship with a local government officer of that local governmental entity, or a family member of the officer, described by Section 176.003(a)(2)(A);
- (2) has given a local government officer of that local governmental entity, or a family member of the officer, one or more gifts with the aggregate value specified by Section 176.003(a)(2)(B), excluding any gift described by Section 176.003(a-1); or
- (3) has a family relationship with a local government officer of that local governmental entity.

(a-1) The completed conflict of interest questionnaire must be filed with the appropriate records administrator not later than the seventh business day after the later of:

(1) the date that the vendor:

- (A) begins discussions or negotiations to enter into a contract with the local governmental entity; or
- (B) submits to the local governmental entity an application, response to a request for proposals or bids, correspondence, or another writing related to a potential contract with the local governmental entity; or

(2) the date the vendor becomes aware:

- (A) of an employment or other business relationship with a local government officer, or a family member of the officer, described by Subsection (a);
- (B) that the vendor has given one or more gifts described by Subsection (a); or
- (C) of a family relationship with a local government officer.