Guidance

Appendix 3: Undertakings with no potential to cause effects on Non-Archeological Historic Properties
Appendix 3 Non-Archeological Properties

TxDOT staff will review project descriptions and other project information as necessary to evaluate whether a project is a type with no potential to cause effects on historic properties. The department delegate has authority to approve a finding that the project is a type with no potential to cause effects on historic properties. The department delegate shall retain documentation that establishes the basis of any such findings. Undertaking types listed in this Appendix shall not be further reviewed under Section 106 of the NHPA.

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

Non-Archeological Historic Properties:

The following activities do not require review or consultation regarding project effects on non-archeological historic properties. TxDOT’s risk analysis, internal policies and Section 110 of the NHPA inventories shall reinforce any necessary exceptions for specific historic properties. Per Stipulation XV.A, SHPO may review project files.

1. installation, repair, or replacement of fencing, signage, traffic signals, railroad warning devices, safety end treatments, cameras and intelligent highway system equipment;
2. in-kind repair, replacement of lighting, signals, curbs and gutters, and sidewalks;
3. maintenance, repair, or replacement of non-brick roadway surfacing, including crack seal, overlay, milling, grooving, resurfacing, and restriping; and/or
4. design changes for projects that have completed all applicable review and consultation where the new project elements comprise only one or more of the activities listed in this subsection.