

*Scanned & distributed  
12/4/08-AP*



## MEMORANDUM

**TO:** 850 File, Various Road Projects, Various CSJs, Various Districts

**FROM:** Scott Pletka, Ph.D. **DATE:** December 3, 2008

**SUBJECT:** Internal review under the First Amended Programmatic Agreement Among the Federal Highway Administration, the Texas Department of Transportation, the Texas State Historic Preservation Officer, and the Advisory Council on Historic Preservation Regarding the Implementation of Transportation Undertakings (PA-TU), and Internal review under the Memorandum of Understanding (MOU) Between the Texas Historical Commission and the Texas Department of Transportation

---

Attached are the lists of projects reviewed internally by qualified TxDOT archeologists from 11/27/08 to 12/03/08. These projects either do not warrant survey as a result of a low probability of encountering archeological historic properties and State Archeological Landmarks, or the projects were inspected by survey or impact evaluation and do not warrant further work. As provided under the PA-TU, consultation with the Texas State Historic Preservation Officer is not necessary for these undertakings. As provided under the MOU, the proposed projects do not require individual coordination with the Texas Historical Commission.

Signature *Scott Pletka* Date *December 4, 2008*  
For FHWA and TxDOT

Attachment

cc: ETS Data Entry; PM; ENV\_ARC; PA File;

**ETS**  
**ARCHEOLOGICAL COORDINATION**  
**Projects that do not warrant Archeological Survey**  
**(Section 108 and ANTIQUITIES CODE OF TEXAS)**  
**From : 11/27/2008 To: 12/3/2008**

COUNTY	DISTRICT	PROJECT	CSI	F30/T20 Concur. No Further Work	F10/T10 Unable to Concur
Austin	Yoakum	CR 5288	0913-20-071		
Fort Bend	Houston	LP 541	0089-17-003		
Fort Bend	Houston	FM 3345	3420-01-011		
Johnson	Fort Worth	SH 121	0504-04-001		

Number of Projects: 4

Signature Seth Pen  
For FHWA and TxDOT

Date December 7, 2008



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

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



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

December 3, 2008

Mr. Alonzo Chalepah, Chairman  
Apache Tribe of Oklahoma  
P.O. Box 1220  
Anadarko, OK 73005

RE: CSJ: 0504-04-001 (previously 2118-01-008 and 2118-02-008); SH 121, from FM 1187 to US 67,  
Construct Divided Highway on New Location; Section 108 Continuing Consultation; Johnson County, Fort  
Worth District

Dear Mr. Chalepah:

The above referenced transportation project is being considered for construction by the Federal Highway Administration (FHWA) and the Texas Department of Transportation (TxDOT). Environmental studies are in the process of being conducted for this project. The project is located in an area that may be of interest to your tribe. The purpose of this letter is to contact you in order to continue Section 108 consultation with your community pursuant to stipulations of the First Amended Programmatic Agreement among the Federal Highway Administration, the Texas Department of Transportation, the Texas State Historic Preservation Officer, and the Advisory Council on Historic Preservation Regarding the Implementation of Transportation Undertakings (PA-TU). Previous consultation was conducted by correspondence dated January 2, 2002. At that time, the proposed project was listed under CSJs: 2118-01-008 and 2118-02-008.

The original project involved the proposed construction of SH 121 from FM 1187 to US 67. The original location map which was enclosed with the January 2, 2002, letter is attached. The current consultation involves an adjustment to that project which would shift the proposed right of way (ROW) west of a prior alignment. The shift would only concern the 2.05-mile segment of SH 121, from SH 171 to just northwest of West Buffalo Creek. The location of the proposed change is depicted on the attached map of Johnson County. A state map depicting the location of Johnson County is also attached.

The proposed segment of SH 121 would be a 4-lane divided highway on a new location. For the most part, SH 121 would have 44-foot-wide pavement for both the north- and south-bound highway. Each section of divided highway would consist of two 12-foot-wide lanes with 10-foot-wide shoulders. There would be a 52-foot-wide median between north and south bound traffic. The segments of SH 121 just north and south of Sparks Road would include entrance and exit access ramps. At this location pavement width would be increased to 56 feet, incorporating a 12-foot-wide entrance/exit acceleration/deceleration

**MOVING THE  
AMERICAN  
ECONOMY**

Re: Section 106 Continuing Consultation, National Historic Preservation Act;  
Proposed Texas Department of Transportation Project, Fort Worth District  
CSJ: 0504-04-001 (previously 2118-01-008 and 2118-02-008); SH 121, from FM 1187 to US 67,  
Construct Divided Highway on New Location; Johnson County

lane to accommodate access to and from SH 121 and Sparks Road. A 58-foot-wide overpass would be constructed over SH 121 at Sparks Road. SH 121 would be raised on fill for the entirety of the project length (see attached Plan and Profile). Three borrow areas for construction fill are also proposed. These areas are depicted on the attached Conceptual Mitigation Plan. Borrow Area A would be approximately 424 feet wide by 1188 feet long. Borrow Area B would be approximately 613 feet wide by 1716 feet long. Borrow Area C would be approximately 292 feet wide by 613 feet long. Proposed ROW width for SH 121 would vary from approximately 327 to 516 feet along the length of the project.

Additionally, bridges would be constructed where SH 121 would cross West Buffalo Creek and an unnamed headwater of West Buffalo Creek. The divided bridges over West Buffalo Creek would each be 44 feet wide by 450 feet long. Approaches to the bridge would be raised on fill 10 feet high at the southern end of the bridge and 11 feet high at the northern end of the bridge. The divided bridges over the unnamed drainage would be 44 feet wide on the north-bound side and 56 feet wide on the south-bound side. Both bridges would be 450 feet long. Approaches to the bridge would be raised on fill 16 feet high on the southern end of the bridge and 7.5 feet high on the northern end of the bridge. At the southernmost extent of the project, where SH 121 intersects with SH 171, overpass bridges would be constructed allowing SH 121 to pass over SH 171 (see attached Plan and Profile). The location of this intersection is where the latest proposed ROW tapers back to the old proposed ROW. A map depicting the latest proposed ROW and the old proposed ROW location is enclosed (see attached SH 121 Right of Way Shift).

The area of potential effects (APE) for the project has been defined as all of the existing highway right of way (maximum of 516 feet wide for 2.05 miles) and the three proposed borrow areas for a total area of almost 168 acres. Vertical impacts would be confined to about 2-foot depths along the roadway. In general, borrow areas would be excavated to a depth of 5 feet.

Within the APE, SH 121 would be aligned mostly north to south. The terrain is relatively level along the length of the APE (see attached USGS map). Overall, the proposed highway would range in elevation from 830 feet (253 meters) above sea level at the base of the channel bed of the unnamed drainage to 859 feet (262 meters) above sea level at the southernmost edge of the APE (see attached Plan and Profile). Drainage occurs via West Buffalo Creek, a tributary of Buffalo Creek, and two unnamed drainages, both headwaters of West Buffalo Creek. Within the APE, West Buffalo Creek trends south and the two unnamed drainages trend east. All three are mapped as intermittent by the USGS (see attached map). The USGS map, dated 1961 and photorevised 1978, does not depict Lake George Martl, indicating that the lake postdates 1978.

Most (89 percent) of the surface geologic deposits within the proposed APE have been mapped as belonging to Grayson Marl and Main Street Limestone undivided [Kgy] (Bureau of Economic Geology 1972: Geologic Atlas of Texas, Dallas Sheet, Scale 1:250,000. The University of Texas at Austin, Austin, Texas – see enlarged section). Grayson Marl and Main Street undivided is a Lower Cretaceous formation. As the Lower Cretaceous predates the existence of higher primates, the geologic deposits would, therefore, long predate any human presence in the Americas. Any archeological materials in these deposits would be expected to be at or close to the surface. Two sections of surface geologic deposits along the unnamed drainage and Buffalo Creek (11 percent), however, have been mapped as Holocene Alluvium [Qal]. As these deposits postdate the accepted start of human occupation in North America, they have the potential to contain buried archeological deposits.

Soil data were retrieved from the USDA Natural Resources Conservation Service Web Soil Survey (<http://websoilsurvey.nrcs.usda.gov/app/WebSoilSurvey>) on November 25, 2008 (see attached map). As there were numerous mapped soils over the length of the APE, detailed information is presented in the following table (see Table 1 and attached map).

Re: Section 106 Continuing Consultation, National Historic Preservation Act;  
Proposed Texas Department of Transportation Project, Fort Worth District  
CSJ: 0504-04-001 (previously 2118-01-008 and 2118-02-008); SH 121, from FM 1187 to US 67,  
Construct Divided Highway on New Location; Johnson County

Table 1. Soil Data for Proposed Project Area.

Map Symbol	Soil	% APE	Horizon: Brief Description	Source/Location
CuB	Culp clay loam, 0-3% slopes [Vertic Arglostolls]	17.6	Ap: 0-18 cm (0-7 in), dark grayish brown clay loam B21t: 18-46 cm (7-18 in), dark grayish brown sandy clay loam, hard, firm, plastic B22t: 46-112 cm (18-44 in), dark brown sandy clay, hard, extremely firm, plastic	loamy alluvium of Quaternary age derived from mixed sources / stream terraces
Fr	Frio silty clay, occasionally flooded [Cumulic Haplustolls]	9.2	A1: 0-20 cm (0-8 in), dark grayish brown silty clay A2: 20-56 cm (8-22 in), dark grayish brown clay loam A3/A4: 56-102 cm (22-40 in), dark grayish brown silty clay loam Bk: 102-203cm (40-80 in), grayish brown silty clay	loamy and clayey alluvial sediments derived from Cretaceous-aged limestone and shale / flood plains
LeB	Lewisville silty clay, 1-3% slopes [Udic Calciclustolls]	6.5	Ap: 0-15 cm (0-6 in), dark grayish brown silty clay A: 15-41 cm (6-16 in), dark grayish brown silty clay Bk: 41-86 cm (16-34 in), grayish brown silty clay	clayey slope alluvium derived from ancient loamy and calcareous sediments / draws
PnB	Ponder clay loam, 1-3% slopes [Vertic Haplustalfs]	16.2	Ap: 0-18 cm (0-7 in), dark grayish brown clay loam, extremely hard, firm, sticky and plastic Bt1: 18-43 cm (7-17 in), brown clay, extremely hard, very firm, very sticky and plastic	clayey alluvium / stream terraces (Lower Cretaceous)
SaB	Sanger clay, 1-3% slopes [Udic Haplusterts]	0.3	Ap: 0-18 cm (0-7 in), dark grayish brown clay, extremely hard, very firm, sticky and plastic A: 18-97 cm (7-38 in), dark grayish brown clay, extremely hard, very firm, sticky and plastic Bkss: 97-140 cm (38-55 in), light yellowish brown silty clay, hard, firm, sticky and plastic	clayey residuum weathered from shale / ridges (Lower Cretaceous)
SIA	Slidell clay, 0-1% slopes [Udic Haplusterts]	36.8	Ap: 0-15 cm (0-6 in), dark gray clay, extremely hard, very firm A: 15-48 cm (6-19 in), very dark gray clay, extremely hard, very firm	clayey slope alluvium / ridges (Lower Cretaceous)
SIB	Slidell clay, 1-3% slopes [Udic Haplusterts]	3.6	Bss: 48-81 cm (19-32 in), very dark gray clay, extremely hard, very firm	
WsA	Wilson silty clay loam, 0-1% slopes [Oxyaquic Vertic Haplustalfs]	9.7	Ap: 0-13 cm (0-5 in), very dark gray silt loam, very hard, firm, sticky and plastic Bl: 13-51 cm (5-20 in), very dark gray silty clay, extremely hard, very firm, very sticky and very plastic	loamy alluvium of Quaternary age derived from mixed sources / level to gently sloping terraces

Mapped soils primarily derived from ridge and stream terrace deposits of Cretaceous age (at least 57 percent). These soils long predate human presence in the Americas. Quaternary alluvial soils (27 percent) mapped within the APE include Culp clay loam and Wilson silty clay loam. Culp series soils reach a hard, firm, plastic, horizon by a depth of 18 centimeters (7 inches). Wilson series soils have a very hard, firm, sticky and plastic surface horizon which transitions to an extremely hard, very firm, very

Re: Section 106 Continuing Consultation, National Historic Preservation Act;  
Proposed Texas Department of Transportation Project, Fort Worth District  
CSJ: 0504-04-001 (previously 2118-01-008 and 2118-02-008); SH 121, from FM 1187 to US 87,  
Construct Divided Highway on New Location; Johnson County

sticky, and very plastic horizon by a depth of 13 centimeters (5 inches). Despite being Quaternary alluvium, the nature of the soils suggests all archeological materials would be close to or at the surface.

A check of the Texas Archeological Sites Atlas (Atlas) on November 25, 2008, shows no previously recorded archeological sites within, immediately adjacent to, or within one kilometer (0.621 mile) of the proposed APE (see attached map section). The Atlas check did show three linear surveys which overlap with and are directly adjacent to the APE. Two of these were conducted by TxDOT (as agents of FHWA) in January 1994 for an earlier version of the current project. The surveys consisted of both pedestrian survey and subsurface investigations. Those surveys identified one archeological site (41TR137 – a surficial lithic scatter) north of FM 1187 approximately 23 kilometers (14.2 miles) beyond the current APE. The third adjacent survey was conducted by the Soil Conservation Service in 1981 (see attached Atlas). No sites were identified. Additionally, an area survey 230 meters (755 feet) from the APE was conducted by the USDA-Rural Development in January 2007 and one linear survey 1.09 kilometers (0.677 mile) from the APE was conducted by an unlisted agency. No archeological sites were identified during either survey.

Additional field investigations are known which were conducted under the auspices of TxDOT. In May 2002, Geo-Marine, Inc. conducted an archeological impact evaluation of the prior preferred alignment for SH 121. The 2002 impact evaluation overlapped the 1994 FHWA surveys in four locations. Part of the 2002 field investigations included a segment between SH 171 and CR 904. A figure which depicts the location of the archeological project is attached. The extent of the impact evaluation corresponds to the "Old Row" demarcated on the SH 121 Right of Way Shift figure. The relationship of the "Latest Row" to the "Old Row" can be seen on that same figure. Much of the previously evaluated area overlaps with the newest proposed ROW alignment. Additionally, the proposed borrow areas fall within or partially overlap previously investigated areas (see attached Conceptual Mitigation Plan). The 2002 investigations concluded it was highly unlikely that any significant archeological resources would be impacted as the project area fell completely within an upland setting with shallow soils and little likelihood of buried deposits.

A check of the Texas State Highway Department State Highway Planning Survey of 1936 (Johnson County, sheet 127 – see enlarged attached section) revealed one dwelling and a rail line within or adjacent to the APE. The railway is listed as the Atchison-Topeka on the USGS Maps and as the Santa Fe on the State Highway Planning Survey of 1936. According to the Texas State Historical Association Handbook of Texas Online (Handbook) (retrieved on December 2, 2008, <http://www.tshaonline.org/handbook/online/articles/JJ/hcjs8.html>), the Atchison, Topeka, and Santa Fe was constructed in Johnson County in 1881. Also, according to the Handbook, the Johnson County economy was primarily dependent on agriculture until the late twentieth century. The USGS map indicates the APE was under cultivation in 1978. Based on this and the lack of historic structures, it is likely the area has been heavily plowed, further disturbing archeological deposits.

Given the foregoing discussion of the geographical setting and the results of previous field investigations which are adjacent to or overlap the current APE, the project area is considered to have low probability for the presence of prehistoric archeological sites. Furthermore, any archeological sites which do occur within the APE would likely lack sufficient integrity to address important questions of prehistory. Therefore, TxDOT finds that the proposed project would not affect archeological historic properties (36 CFR 800.16(l)(1)) or State Archeological Landmarks (13 TAC 26.12) and recommends that no further archeological investigations are warranted.

According to our procedures and at the request of the FHWA under Section 106 of the National Historic Preservation Act, we are writing to request your comments on historic properties of cultural or religious significance to your tribe that may be affected by the proposed undertaking. Any comments you may have on the TxDOT recommendation should also be provided. Please provide your comments within 30 days of receipt of this letter. Any comments provided after that time will be addressed to the fullest extent

Re: Section 106 Continuing Consultation, National Historic Preservation Act;  
Proposed Texas Department of Transportation Project, Fort Worth District  
CSJ: 0504-04-001 (previously 2118-01-008 and 2118-02-008); SH 121, from FM 1187 to US 67,  
Construct Divided Highway on New Location; Johnson County

possible. If you do not object with a recommendation "no historic properties affected," please sign below to indicate your concurrence. In the event that further investigations by our office disclose the presence of archeological deposits, we will contact your tribe to continue consultation.

Thank you for your attention to this matter. If you have questions, please contact John Arnn (TxDOT Archeologist) at 612/416-2639 (email: jarnn@dot.state.tx.us) or me at 612/416-2631 (email: spletk@dot.state.tx.us).

Sincerely,



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

Concurrence by: \_\_\_\_\_

Date: \_\_\_\_\_

Attachments

cc w/attachments: Barbara Maley, Environmental Coordinator FHWA; Sonja Whitehead, TxDOT Fort Worth District Environmental Coordinator; Michelle Skinner, ENV-PM TxDOT; John Arnn, ENV-ARCH TxDOT; ENV-ARCH Project File

cc w/o attachments: ETS Scan

The attached letter was sent to the following tribes on December 3, 2008 :

Mr. Alonzo Chalepah, Chairman  
Apache Tribe of Oklahoma  
P.O. Box 1220  
Anadarko, OK 73005

Mr. Marion Frye, Chairperson  
Business Commlltee  
Kickapoo of Oklahoma  
P.O. Box 70  
McLoud, OK 74851

Mr. Juan Garza, Jr., Chairperson  
NAGPRA Coordinator  
Kickapoo Traditional Tribe of Texas  
HC1 Route, Box 9700  
Eagle Pass, TX 78852

Mr. Leslle Standing, President  
Wichita and Affillated Tribes  
P.O. Box 729  
Anadarko, OK 73005

Ms. Jennie Lillard, Town King  
Kialegee Tribal Town  
P.O. Box 332  
Wetumka, OK 74883

Mr. Arlan Whitebird, Chairperson  
Kickapoo of Kansas  
1107 Goldfinch Road  
P.O. Box 271  
Horton, KS 66439

Mr. Buford Rolin, Chairperson  
Poarch Band of Creek Indians  
5811 Jack Springs Road  
Atmore, AL 36502

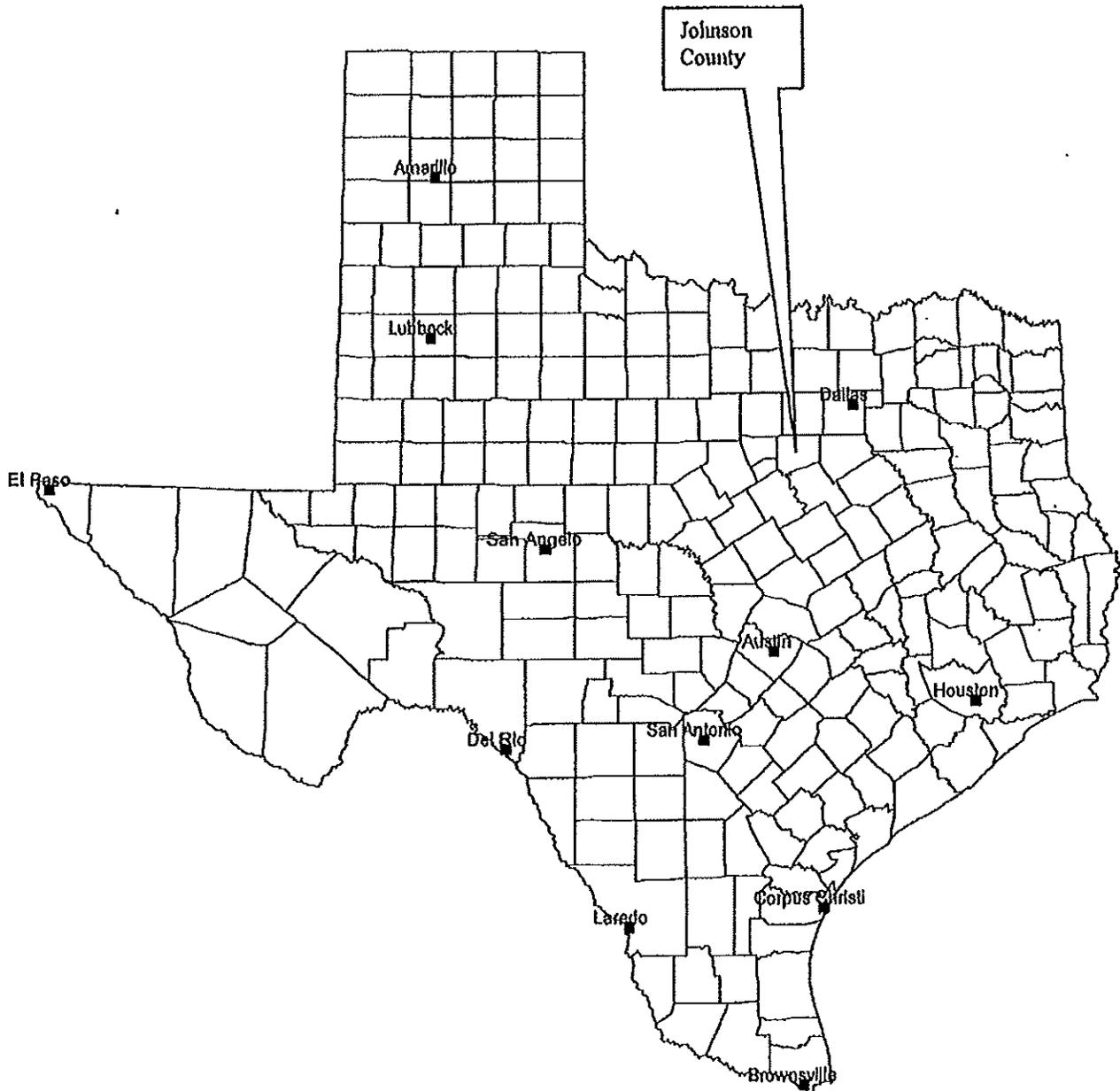
Mr. John Miller, Chairperson  
Pokagon Band of Potawatomi Indians of Michigan  
P.O. Box 180  
Dowagiac, MI 49047

# County Location Map

County: Johnson

Project CSJ: 0504-04-001

Project Name: SH 121 from FM 1187 to US 67, Fort Worth District

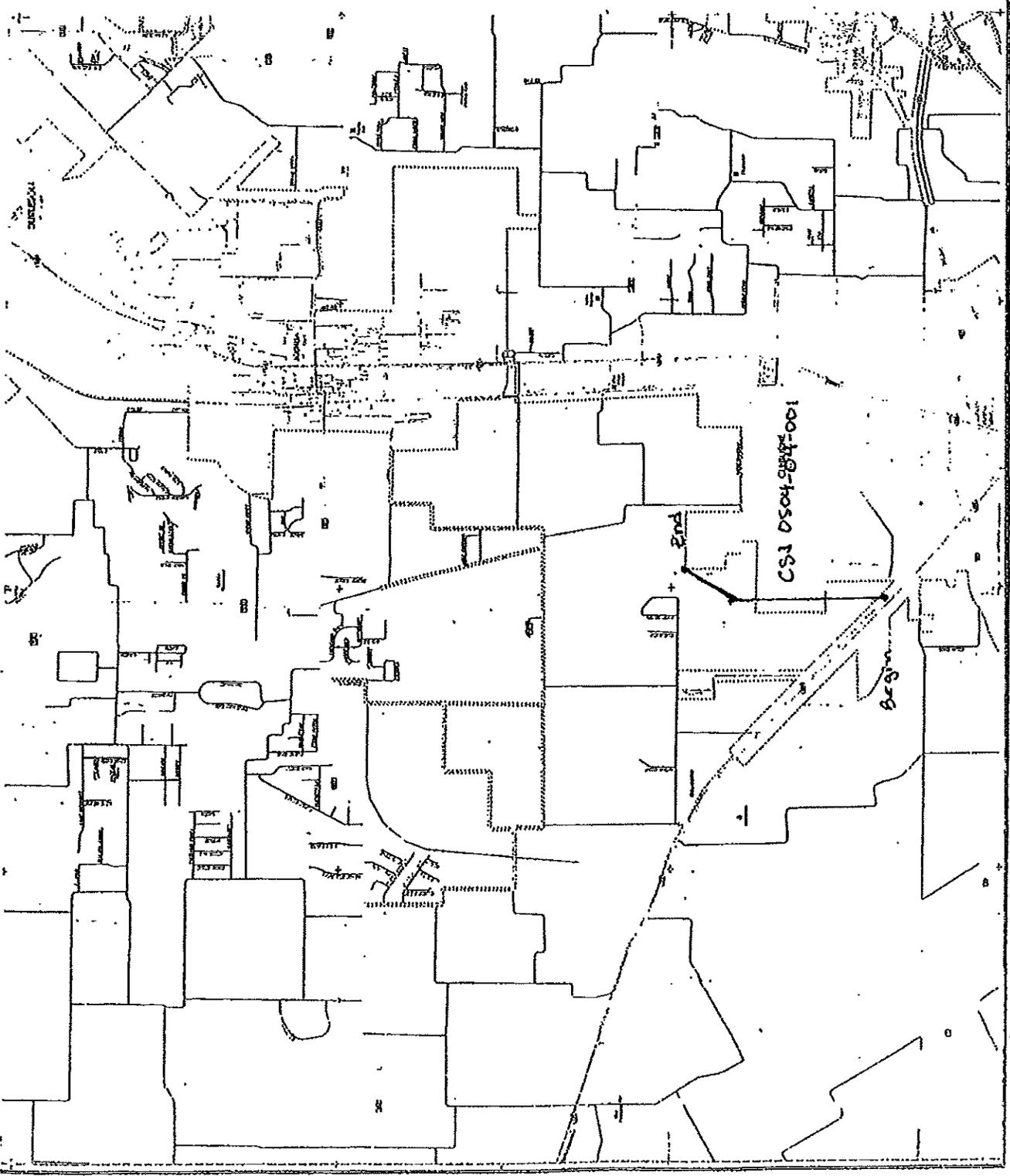




JEFFERSON COUNTY  
TEXAS

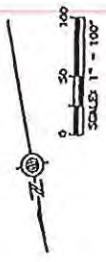
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100
---	---	---	---	---	---	---	---	---	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	-----

JEFFERSON COUNTY, TEXAS









- NOTES:
1. ALL DIMENSIONS ARE RELATIVE TO THE C.O.P. UNLESS OTHERWISE NOTED.
  2. REFER TO HORIZONTAL ALIGNMENT DRAWING FOR ADDITIONAL INFORMATION.

LEGEND

	PLAINMETRICS
	POSITIONING P.C.P.
	DIRECTION OF TRAVEL
	CURVE NAME
	CONCRETE PAVEMENT
	ASPHALT PAVEMENT

SHEET TOTALS

EST.	FINAL	UNIT	DESCRIPTION

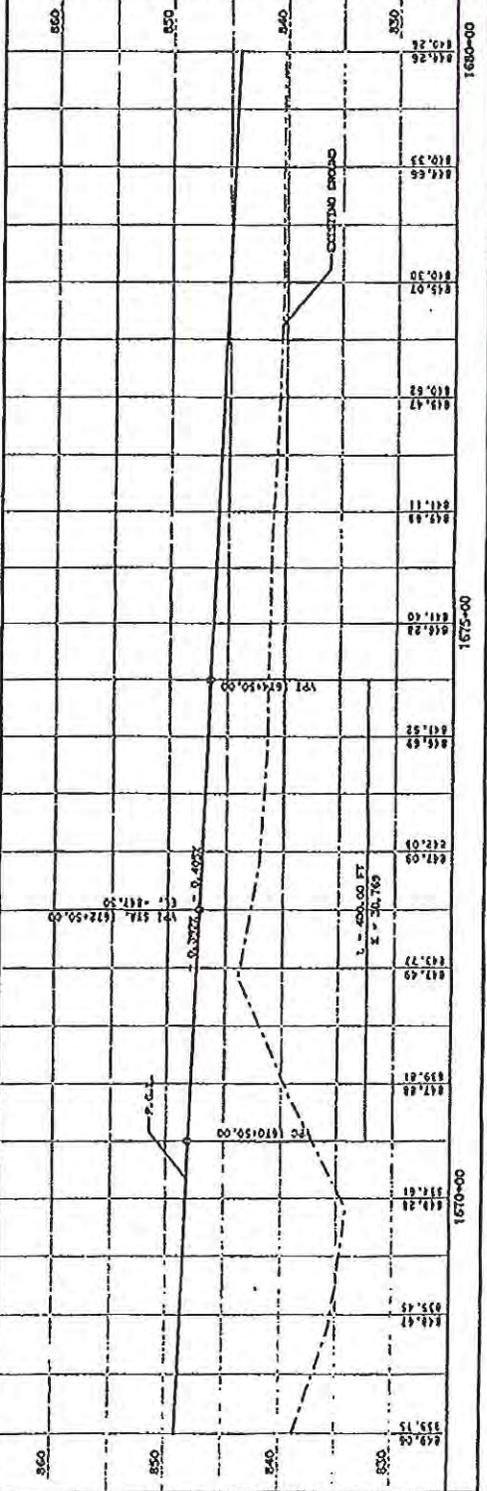
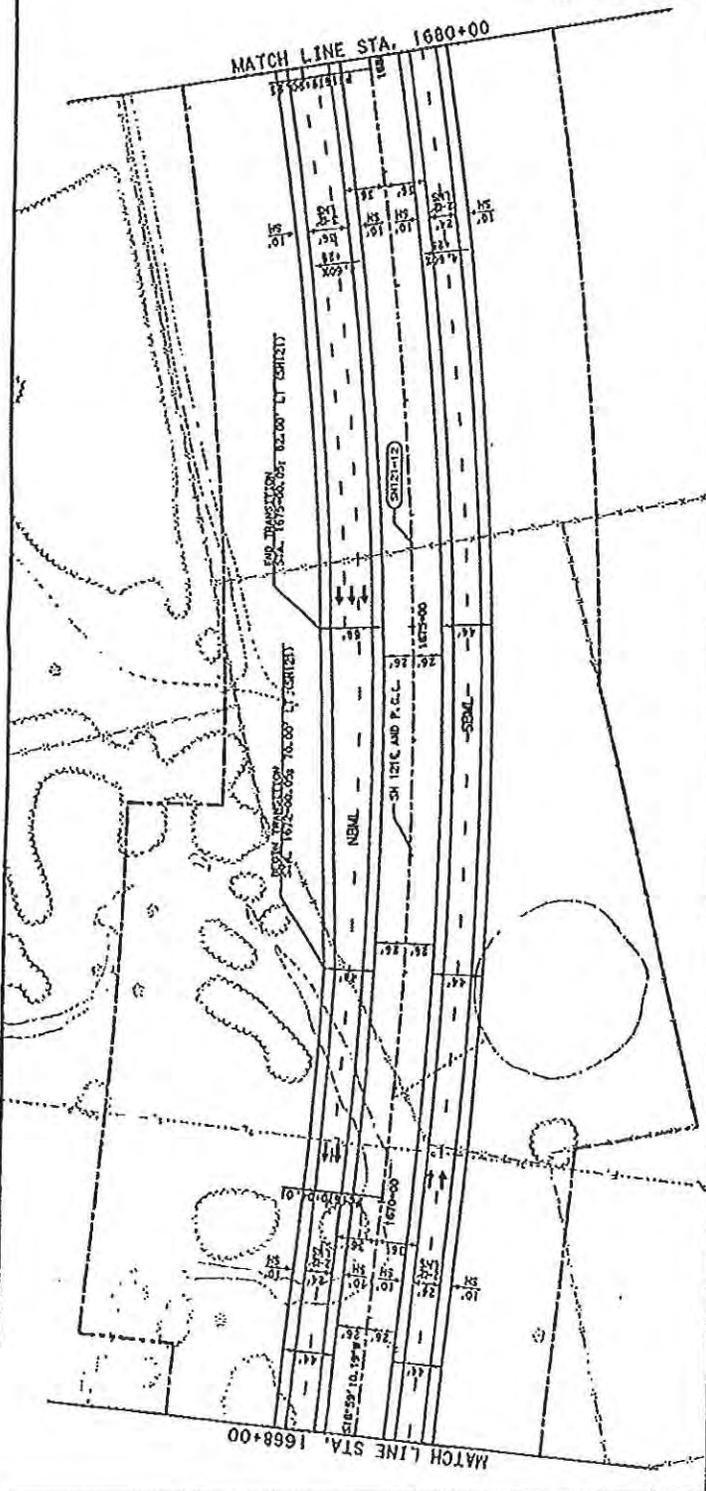
REFERENCE: EXHIBIT  
 THIS DRAWING IS MADE FOR THE PURPOSE OF  
 SHOWING THE LOCATION OF THE  
 CURVE DATA FOR THE PROJECT OF  
 SH 121, STA. 1668+00 TO STA. 1680+00  
 AS SHOWN ON THE ATTACHED DRAWINGS.

Tennessee Department of Transportation  
 © 2002  
 ROADWAY TRANSPORTABILITY GROUP  
 CONSULTING ENGINEERS

SH 121  
 PLAN AND PROFILE  
 STA. 1668+00 TO STA. 1680+00  
 SCALE: PLAN 1"=100' HORIZ.  
 PROFILE 1"=10' VERT.  
 SHEET 49 OF 61

PROJECT	NO. 2002-01	DATE	12/11/02
DISTRICT	6	DESIGNER	W. J. HARRIS
CHECKER	W. J. HARRIS	DATE	12/11/02
APPROVED	W. J. HARRIS	DATE	12/11/02
PROJECT NO.	2002-01	SHEET NO.	49
TOTAL SHEETS	61	DATE	12/11/02

MATCH LINE STA. 1680+00









- NOTES:
1. ALL DIMENSIONS ARE RELATIVE TO THE C.O.P., UNLESS OTHERWISE NOTED.
  2. REFER TO HORIZONTAL ALIGNMENT INFORMATION FOR ADDITIONAL INFORMATION.

LEGEND	
---	PLANNED
---	EXISTING R.O.W.
---	PROPOSED R.O.W.
---	DIRECTION OF TRAVEL
(C/S)	CURVE NAME
---	CONCRETE PAVEMENT
---	ASPHALT PAVEMENT

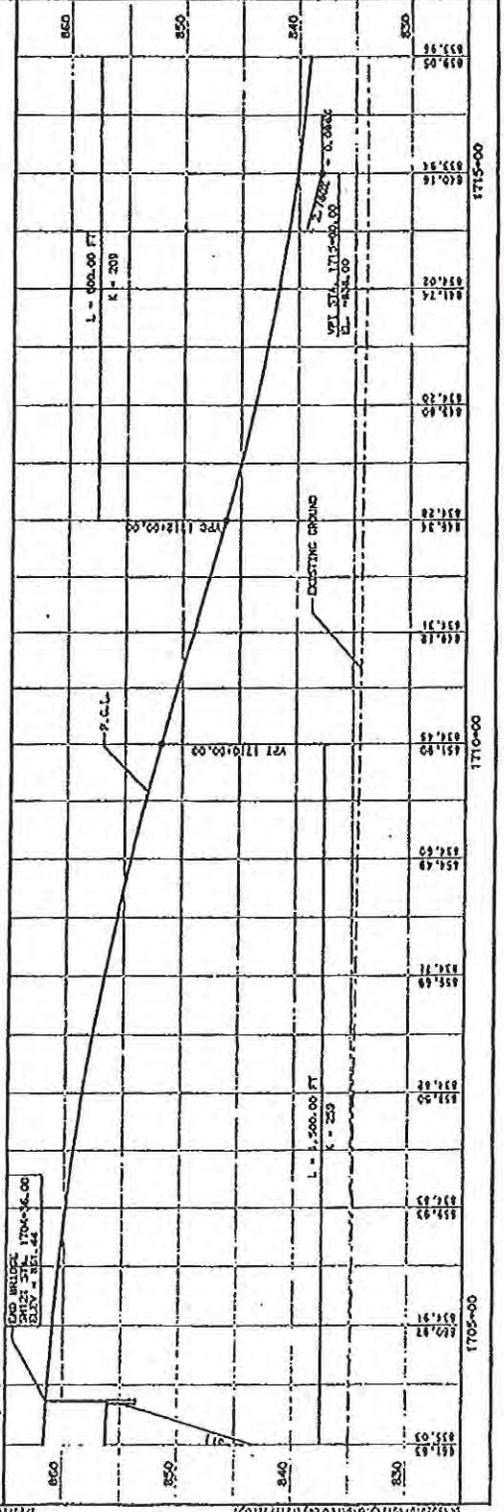
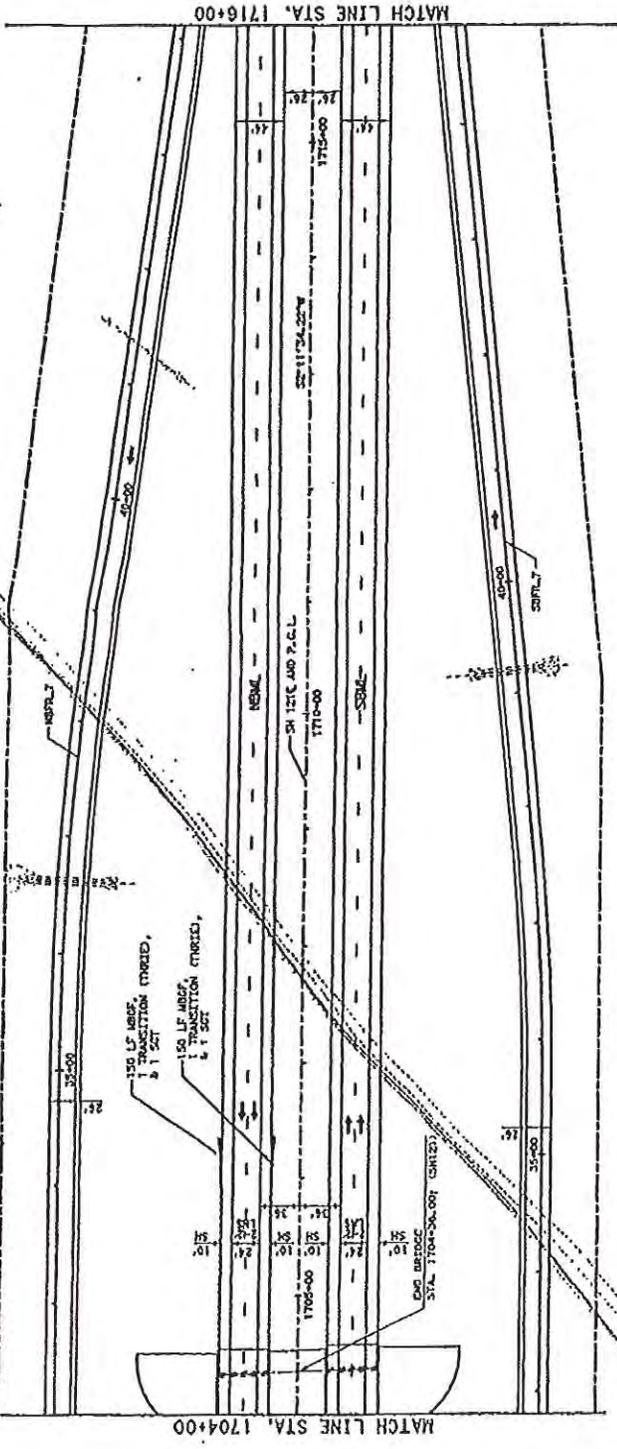
SHEET TOTALS	
EST.	FINAL

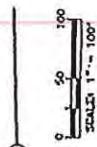


Texas Department of Transportation  
 TEXAS  
 2008  
 ROADWAY GROUP  
 CONTRACT DAMAGE

SH 121  
 PLAN AND PROFILE  
 STA. 1704+00 TO STA. 1716+00  
 SCALE  
 PLAN PROFILE 1"=100' HORIZ.  
 1"=10' VERT.

DATE	12/15/08	BY	JMS
DESIGNED	JMS	CHECKED	JMS
DRAWN	JMS	APPROVED	JMS
CHECKED	JMS	DATE	12/15/08





NOTES  
 1. ALL DIMENSIONS ARE RELATIVE TO THE C.O.P. UNLESS OTHERWISE NOTED.  
 2. REFER TO CONTRACT ALTERNATE INFORMATION FOR ADDITIONAL INFORMATION.

LEGEND	
---	PLANNED METRICS
---	EXISTING R.O.W.
---	PROPOSED R.O.W.
---	DIRECTION OF TRAVEL
---	CURVE NAME
---	CONCRETE PAVEMENT
---	ASPHALT PAVEMENT

SHEET TOTALS	
EST.	FINAL DIST. DESCRIPTION

EXTENSIVE REVIEW  
 HAS BEEN MADE BY THE CHIEF OF  
 SURVEYING IN THE OFFICE OF  
 PUBLIC SAFETY, AT DATE OF 2/20/02.  
 IT IS HEREBY CERTIFIED THAT THE  
 INFORMATION IS TRUE AND CORRECT.

Texas Department of Transportation  
 © 2006  
 ROADWAY DESIGN GROUP  
 CONSULTING ENGINEERS

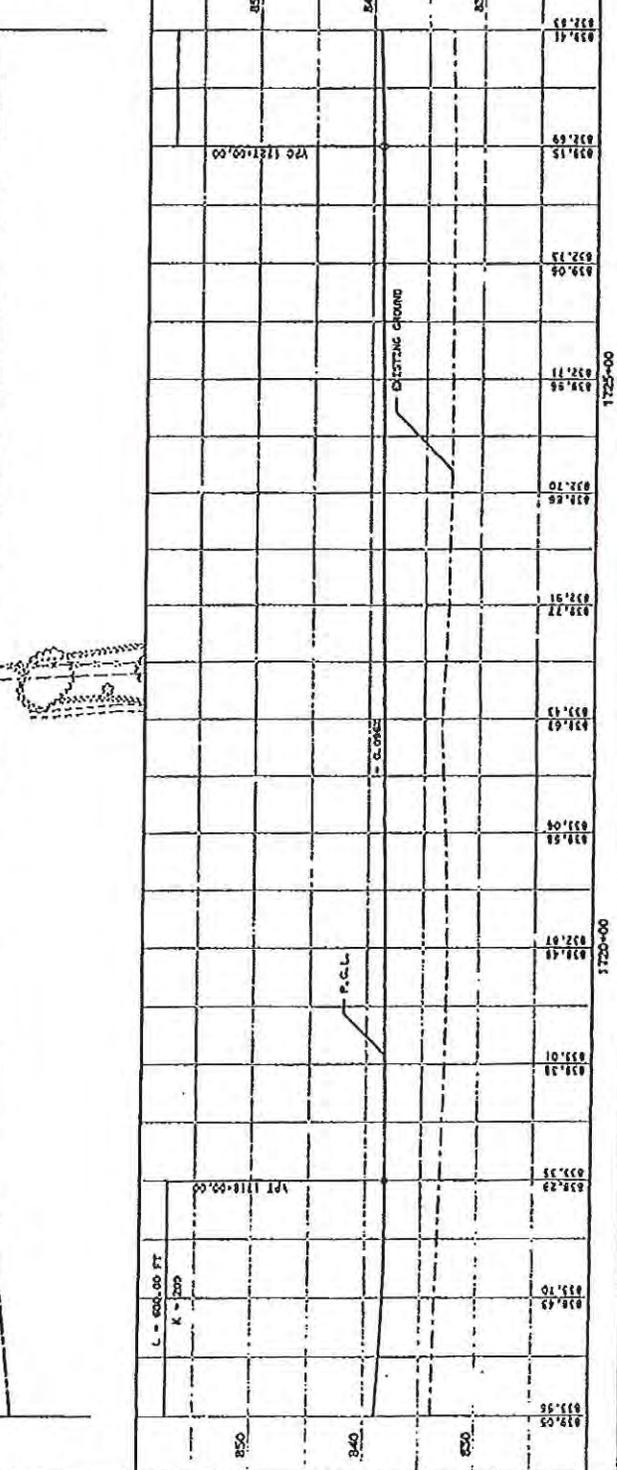
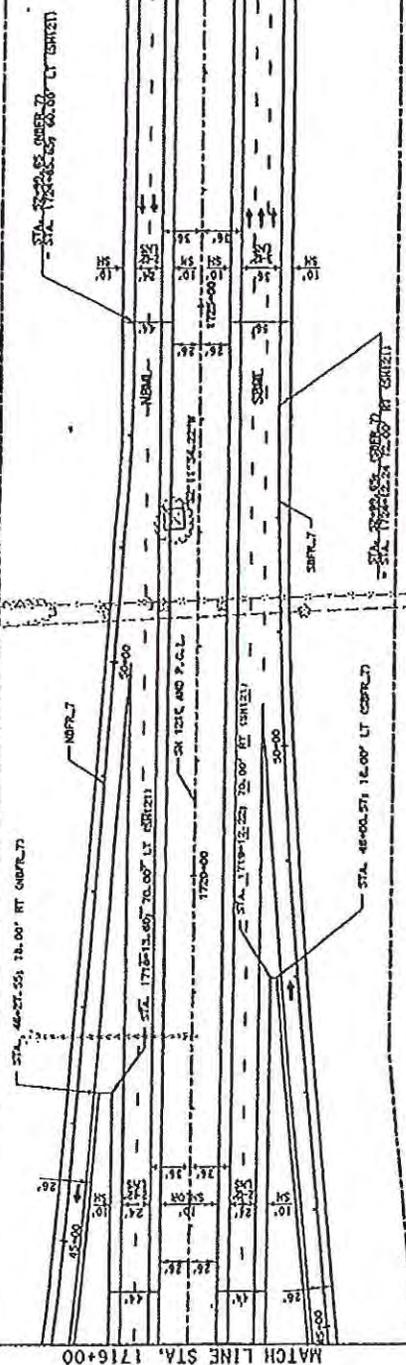
SH 121

PLAN AND PROFILE  
 STA. 1716+00 TO STA. 1728+00

SCALE  
 PLAN PROFILE 1"=100' HORIZ.  
 SHEET 23 OF 31

REVISION	DATE	BY	DESCRIPTION

MATCH LINE STA. 1728+00



L = 600.00 FT  
 K = 200

VPI 1718+00.00

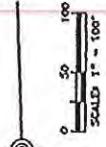
P.C.L.

DISTING. GROUND

1720+00

1725+00

MATCH LINE STA. 1716+00



- NOTES
1. ALL DIMENSIONS ARE RELATIVE TO THE C.O.P. UNLESS OTHERWISE NOTED.
  2. REFER TO HORIZONTAL ALIGNMENT DATA SHEETS FOR ADDITIONAL INFORMATION.

LEGEND	
	PLASTERED
	EXISTING R.O.W.
	EXISTING R.O.C.
	DIRECTION OF TRAVEL
	CURB NAME
	CONCRETE PAVEMENT
	ASPHALT PAVEMENT

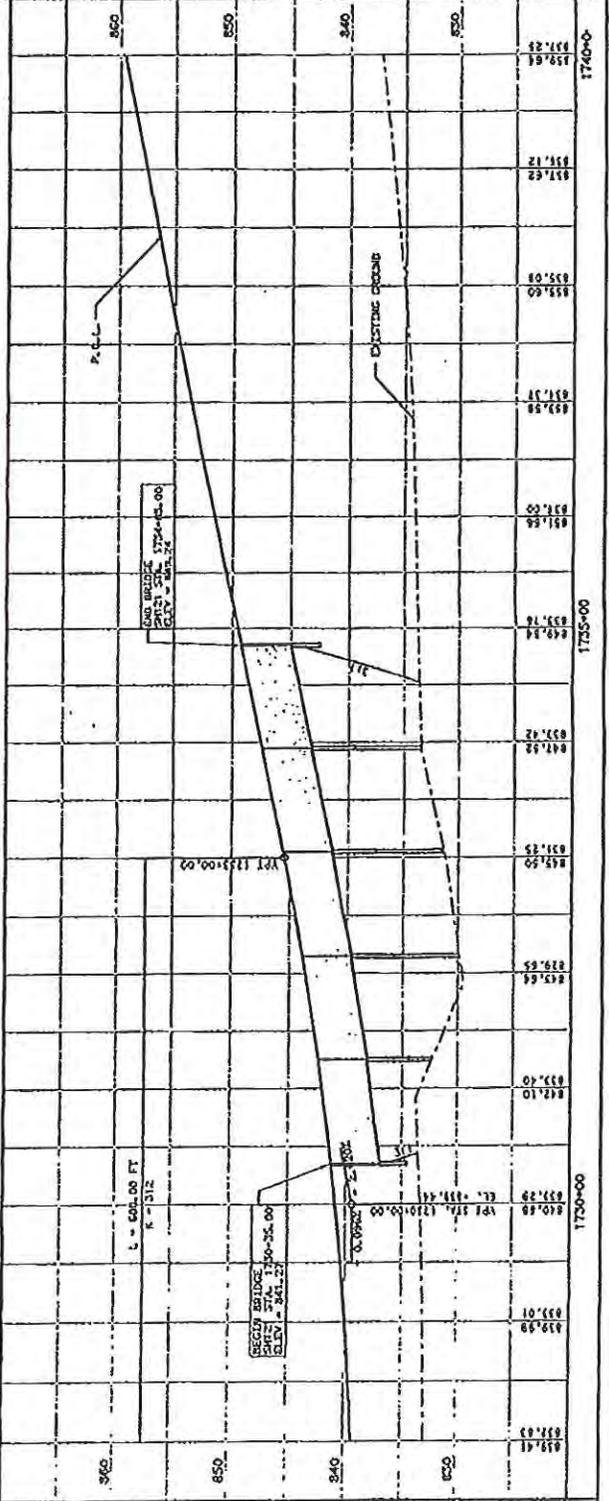
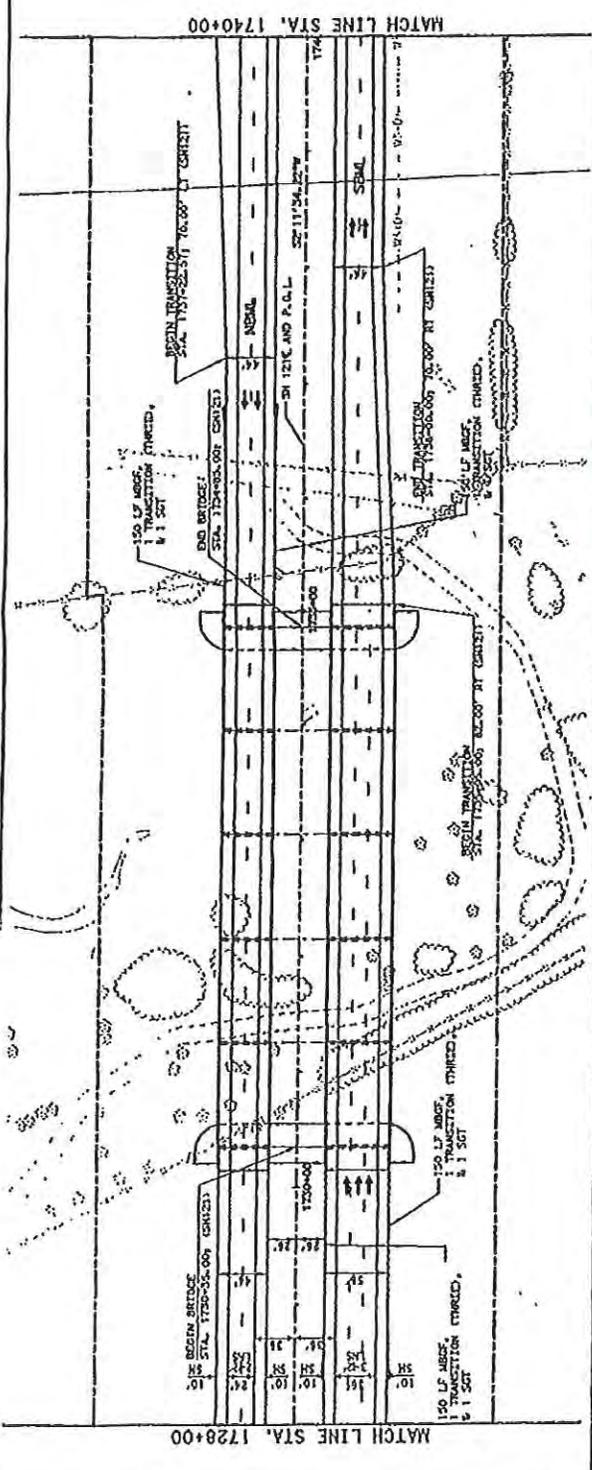
SHEET TOTALS	
ST.	FINAL LIMIT DESCRIPTION

**EXERCISE EXTREME CAUTION**  
 THIS BRIDGE IS SUBJECT TO THE WEIGHTS AND LOADS SPECIFIED IN THE APPROVED CONTRACT DOCUMENTS.  
 NO OTHER LOADS OR CONDITIONS ARE TO BE APPLIED TO THIS BRIDGE.

Texas Department of Transportation  
 © 2008  
 ROADWAY DESIGN GROUP  
 COUNTY OF DALLAS  
 COUNTY ENGINEER

SH 121  
 PLAN AND PROFILE  
 STA. 1728+00 TO STA. 1740+00  
 SCALE PLAN 1"=100' HORZ.  
 SCALE PROFILE 1"=10' VERT.  
 SHEET 24 OF 31

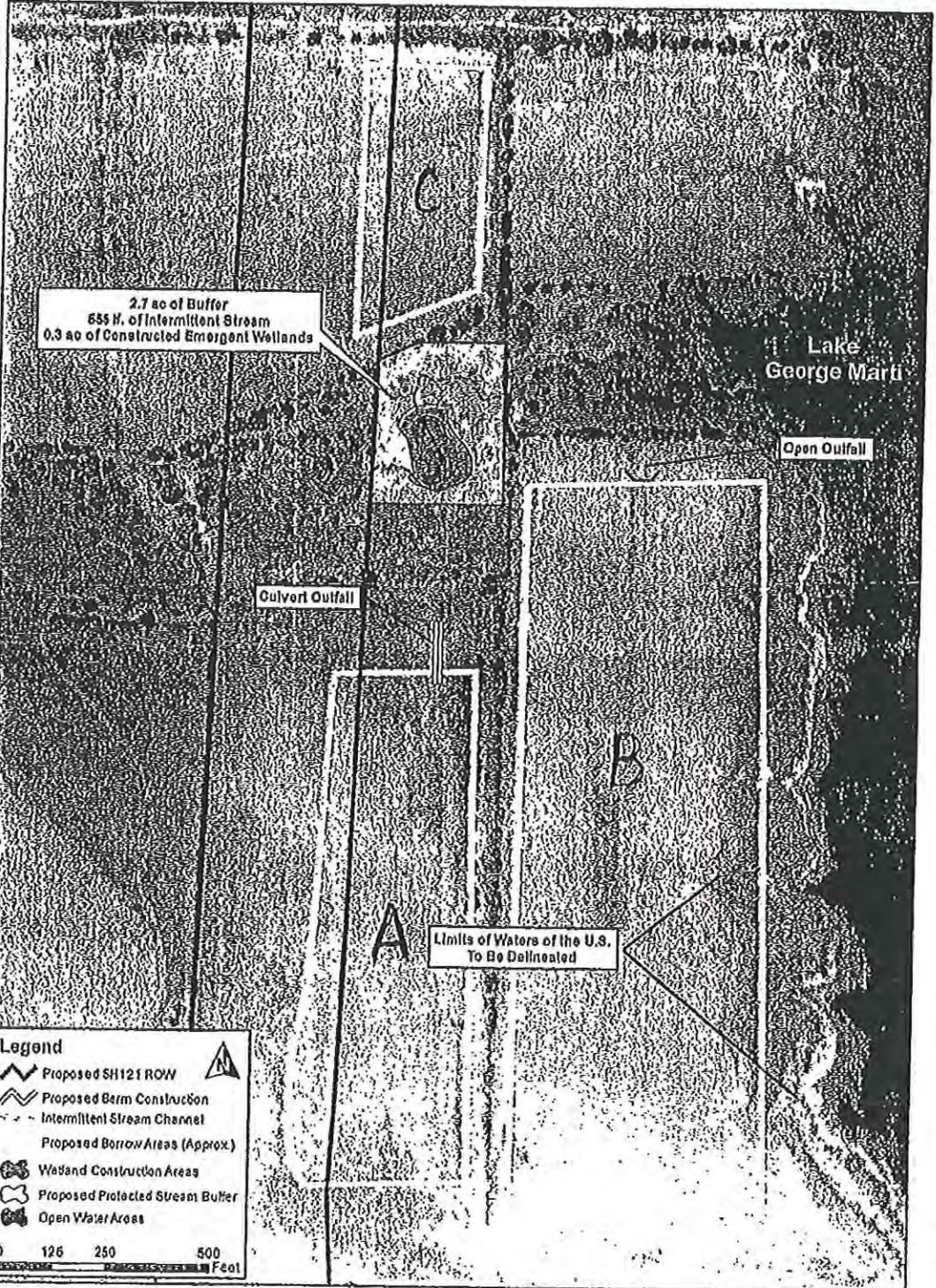
NO.	DATE	BY	REVISION
1			
2			
3			
4			

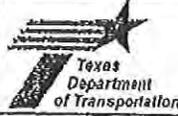


STATION	ELEVATION	DESCRIPTION
1728+00	827.00	
1728+10	827.00	
1728+20	827.00	
1728+30	827.00	
1728+40	827.00	
1728+50	827.00	
1728+60	827.00	
1728+70	827.00	
1728+80	827.00	
1728+90	827.00	
1729+00	827.00	
1729+10	827.00	
1729+20	827.00	
1729+30	827.00	
1729+40	827.00	
1729+50	827.00	
1729+60	827.00	
1729+70	827.00	
1729+80	827.00	
1729+90	827.00	
1730+00	827.00	
1730+10	827.00	
1730+20	827.00	
1730+30	827.00	
1730+40	827.00	
1730+50	827.00	
1730+60	827.00	
1730+70	827.00	
1730+80	827.00	
1730+90	827.00	
1731+00	827.00	
1731+10	827.00	
1731+20	827.00	
1731+30	827.00	
1731+40	827.00	
1731+50	827.00	
1731+60	827.00	
1731+70	827.00	
1731+80	827.00	
1731+90	827.00	
1732+00	827.00	

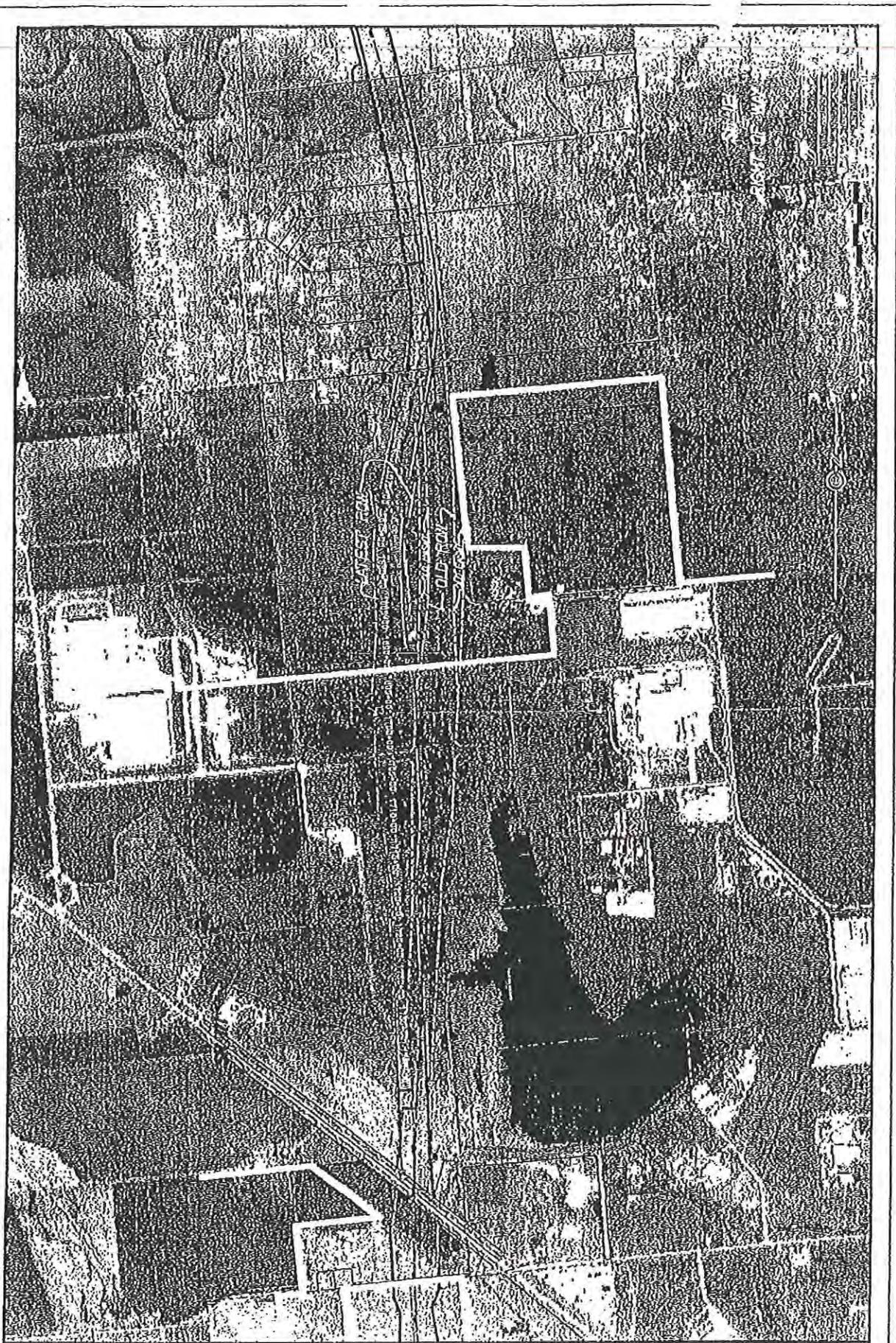


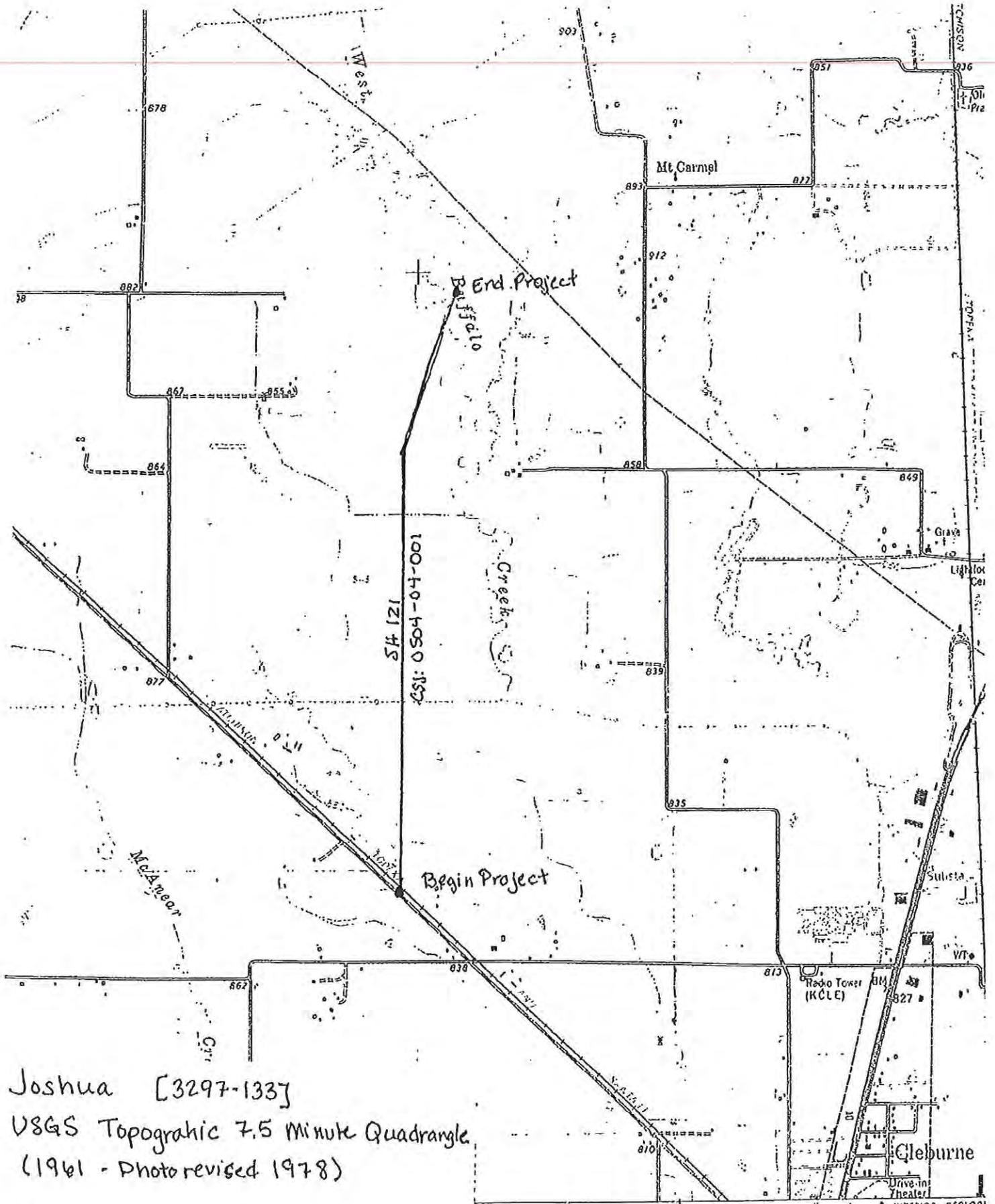
**Texas Department of Transportation  
SH 121 - FM 1187 to US 67**




 Texas Department of Transportation  
 Fort Worth District  
 P.O. Box 6868  
 Fort Worth, Texas 76115-0368

**Conceptual Mitigation Plan**  
**Lake George Marti**  
**City of Cleburne**

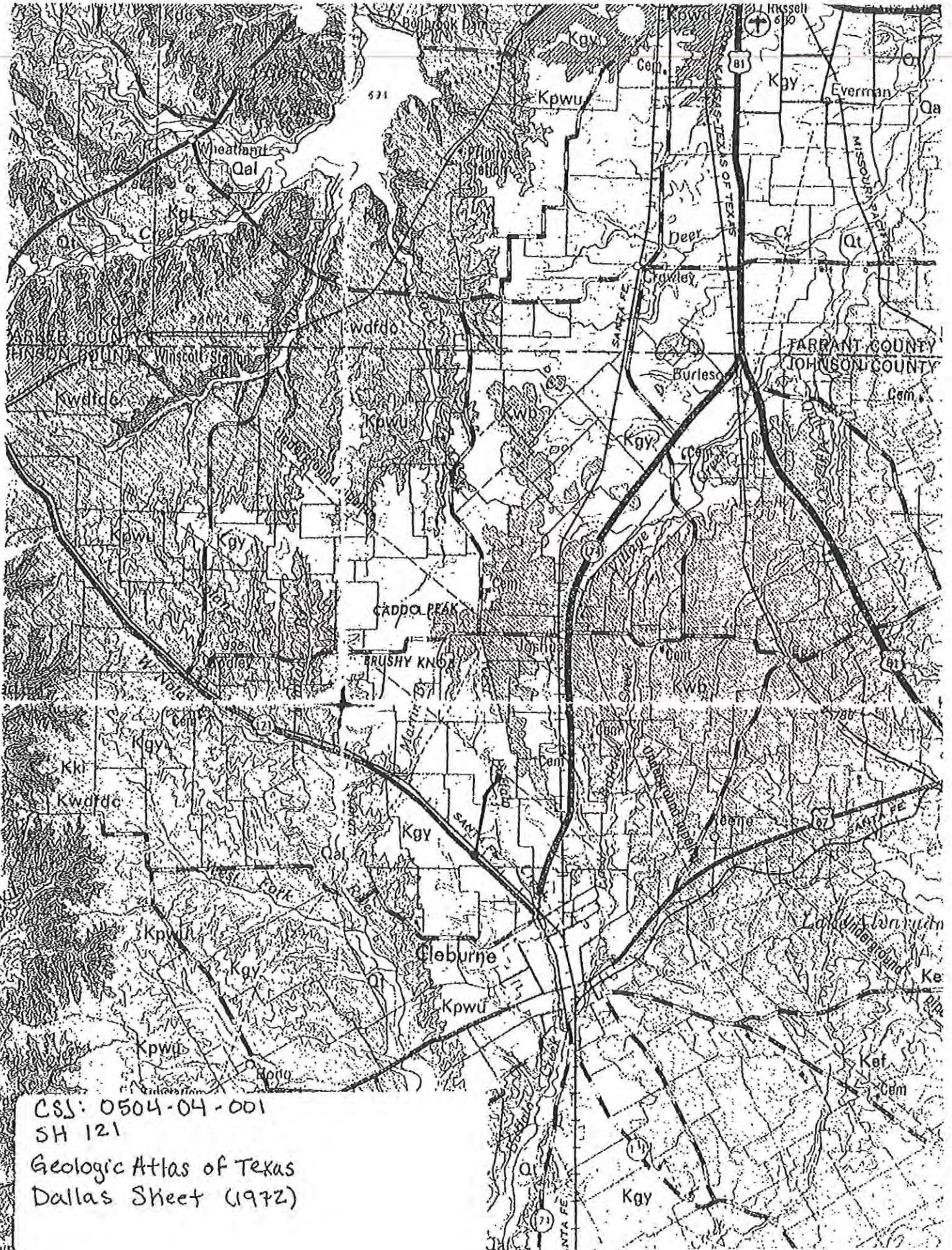




Joshua [3297-133]  
 USGS Topographic 7.5 Minute Quadrangle  
 (1961 - Photo revised 1978)

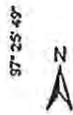


ROAD  
 Heavy-duty

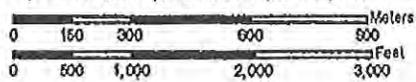


CSS: 0504-04-001  
SH 121  
Geologic Atlas of Texas  
Dallas Sheet (1972)

Soil Map  
(CSJ: 0504-04-001 SH 121)



Map Scale: 1:17,000 if printed on A size (8.5" x 11") sheet



### MAP LEGEND

	Area of Interest (AOI)		Very Stony Spot
	Soils		Wet Spot
	Special Point Features		Other
	Blowout	<b>Special Line Features</b>	
	Borrow Pit		Gully
	Clay Spot		Short Steep Slope
	Closed Depression		Other
	Gravel Pit	<b>Political Features</b>	
	Gravelly Spot		Cities
	Landfill		Water Features
	Lava Flow		Oceans
	Marsh or swamp	<b>Streams and Canals</b>	
	Mine or Quarry		Transportation
	Miscellaneous Water		Rails
	Perennial Water		Interstate Highways
	Rock Outcrop		US Routes
	Saline Spot		Major Roads
	Sandy Spot		Local Roads
	Severely Eroded Spot		
	Sinkhole		
	Slide or Slip		
	Sodic Spot		
	Spoil Area		
	Stony Spot		

### MAP INFORMATION

Map Scale: 1:17,000 if printed on A size (8.5" x 11") sheet.  
 The soil surveys that comprise your AOI were mapped at 1:20,000.  
 Please rely on the bar scale on each map sheet for accurate map measurements.

Sources of Map: Natural Resources Conservation Service  
 Web Soil Survey URL: <http://websoilsurvey.nrcs.usda.gov>  
 Coordinate System: UTM Zone 14N NAD83

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Johnson County, Texas  
 Survey Area Data: Version 6, Apr 10, 2008

Date(s) aerial images were photographed: 1995

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

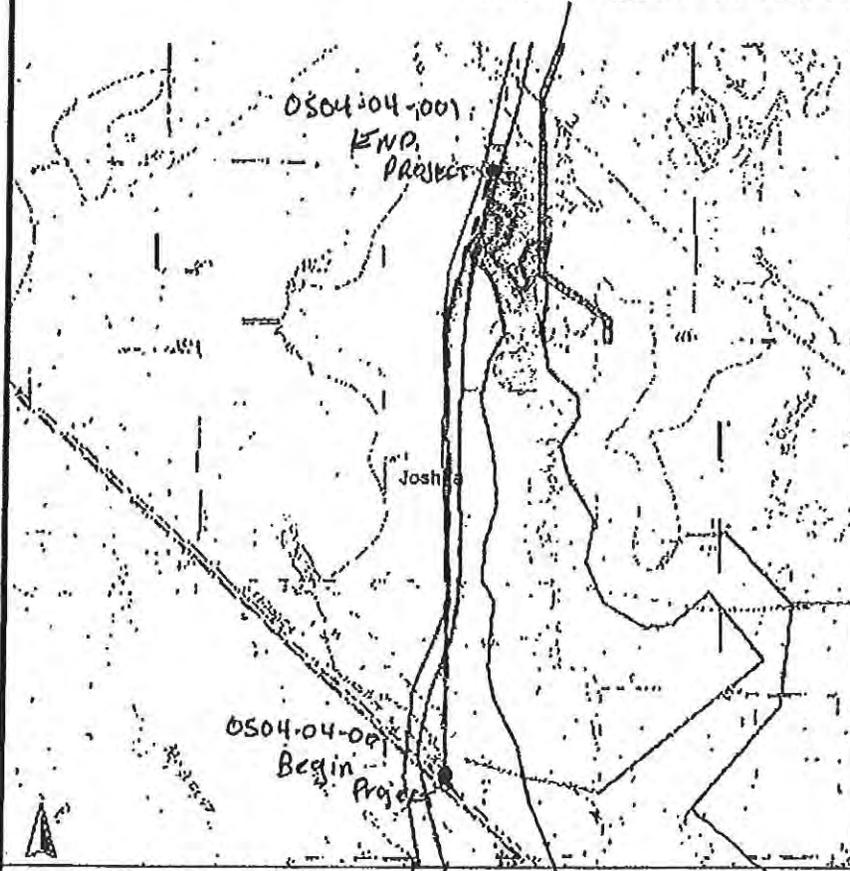
## Map Unit Legend

Johnson County, Texas (TX261)			
Map Unit Symbol	Map Unit Name	Acres In AOI	Percent of AOI
CuB	Culp clay loam, 0 to 3 percent slopes	23.3	17.6%
Fr	Frito silty clay, occasionally flooded	12.2	9.2%
LeB	Lewisville silty clay, 1 to 3 percent slopes	8.8	6.6%
PnB	Ponder clay loam, 1 to 3 percent slopes	21.5	16.2%
SaB	Sanger clay, 1 to 3 percent slopes	0.4	0.3%
SIA	Sildell clay, 0 to 1 percent slopes	48.8	36.8%
SIB	Sildell clay, 1 to 3 percent slopes	4.7	3.6%
WsA	Wilson silty clay loam, 0 to 1 percent slopes	12.9	9.7%
Totals for Area of Interest		132.4	100.0%

CSJ: 0504-04-001, SH 121, Texas Archeological Sites Atlas Map

--- represents current proposed ROW alignment

Surveyed USDA-Rural Development 01/07  
distance 230 meters from APE



Texas Archeological Sites Atlas Copyright © 1995-2000 Texas Historical Archeology Society

[x]

Legend

- ▲ Archeological Site Controls
- ⎓ Archeological Site Boundaries
- Archeological Site Areas
- Neighborhood Survey
- Historical Marker
- ★ National Register Property
- ▨ National Register District
- ▩ National Register District (address restricted)
- ⎓ Archeological Project (near)
- ▨ Archeological Project (area)
- ▩ Cemetery
- ▲ Shipwreck
- ⋯ USGS Quad Grid
- ⋯ Counties
- ⋯ USGS Topo Data

Surveyed FHWA 01/94  
CSJ 2118-01-008

Surveyed Soil Conservation Service  
12/81 distance from directly  
adjacent to 320 meters from APE

Surveyed 02/96

Agency not listed

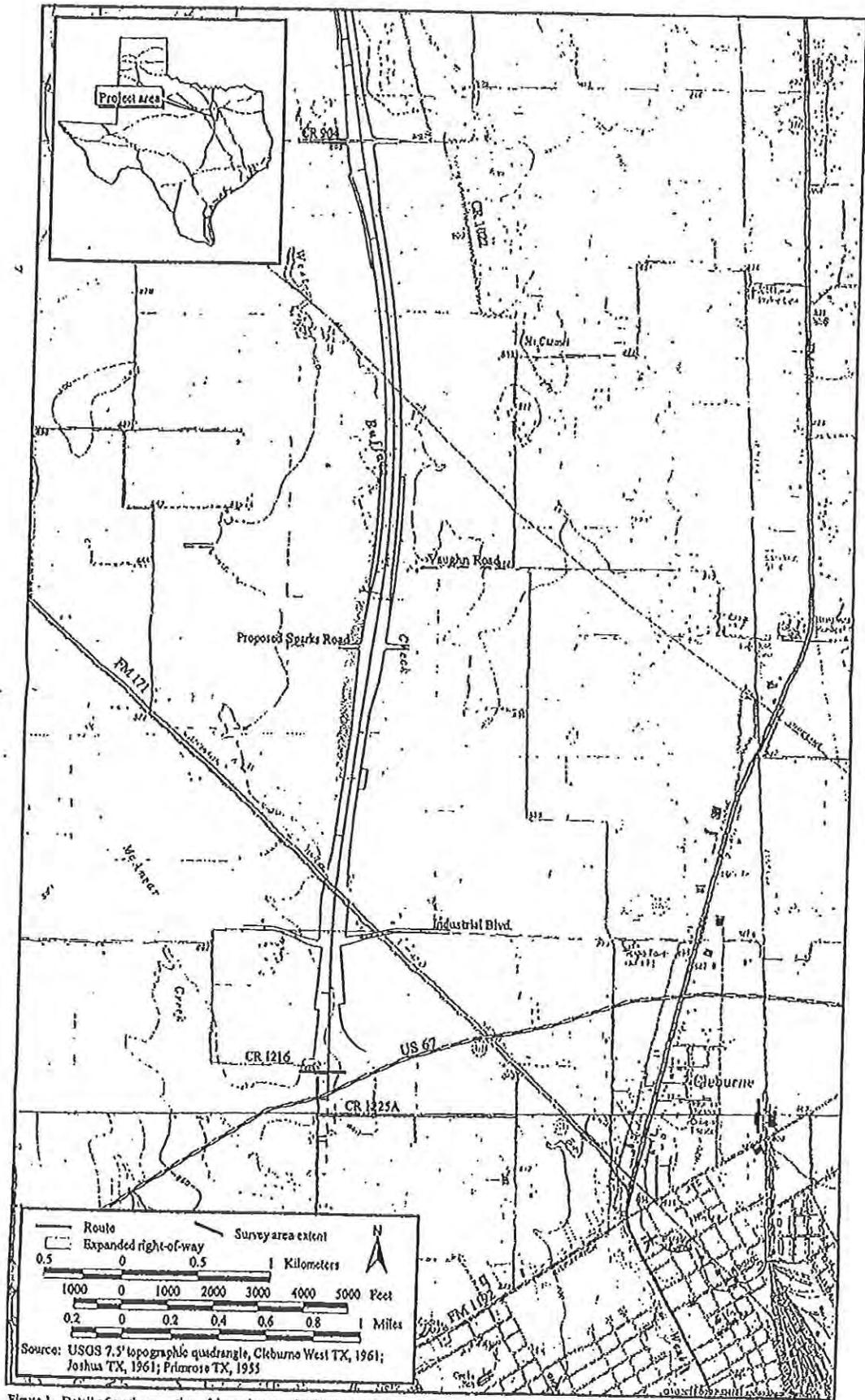
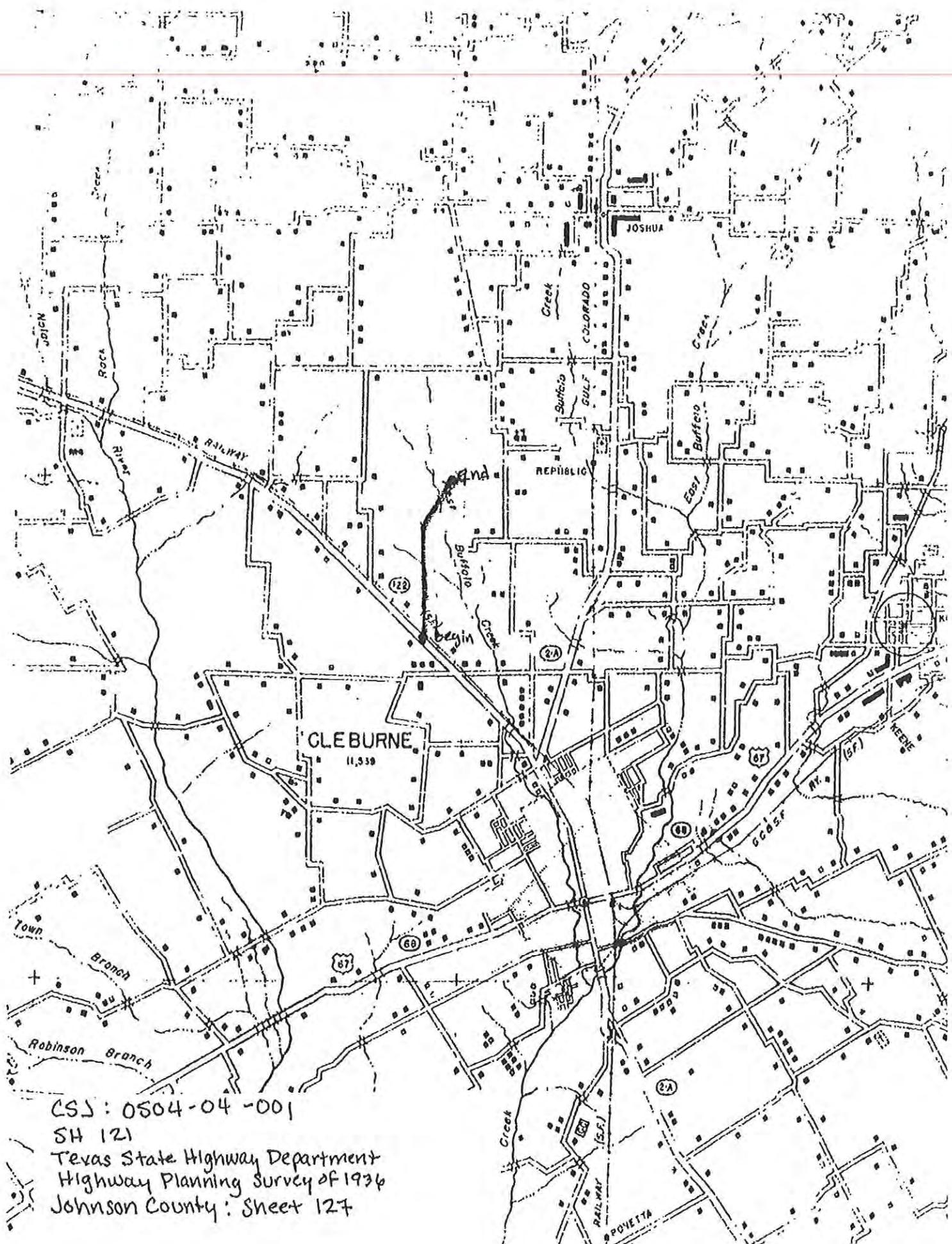


Figure 1. Detail of southern portion of the project area (CSI 2118-02-008).

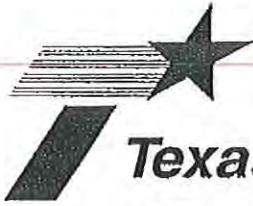


CSJ: 0504-04-001

SH 121

Texas State Highway Department  
Highway Planning Survey of 1936

Johnson County: Sheet 127



# Texas Department of Transportation

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

December 3, 2008

DIST 02 FT. WORTH  
TXDOT MAILROOM  
DEC 04 2008

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

RE: CSJ: 0504-04-001 (previously 2118-01-008 and 2118-02-008); SH 121, from FM 1187 to US 67, Construct Divided Highway on New Location; Section 106 Continuing Consultation; Johnson County, Fort Worth District

Dear Ms. Parker:

The above referenced transportation project is being considered for construction by the Federal Highway Administration (FHWA) and the Texas Department of Transportation (TxDOT). Environmental studies are in the process of being conducted for this project. The project is located in an area that is of interest to your tribe. The purpose of this letter is to contact you in order to continue Section 106 consultation with your community pursuant to stipulations of the First Amended Programmatic Agreement among the Federal Highway Administration, the Texas Department of Transportation, the Texas State Historic Preservation Officer, and the Advisory Council on Historic Preservation Regarding the Implementation of Transportation Undertakings (PA-TU). Previous consultation was conducted by correspondence dated January 2, 2002. At that time, the proposed project was listed under CSJs: 2118-01-008 and 2118-02-008.

The original project involved the proposed construction of SH 121 from FM 1187 to US 67. The original location map which was enclosed with the January 2, 2002, letter is attached. The current consultation involves an adjustment to that project which would shift the proposed right of way (ROW) west of a prior alignment. The shift would only concern the 2.05-mile segment of SH 121, from SH 171 to just northwest of West Buffalo Creek. The location of the proposed change is depicted on the attached map of Johnson County. A state map depicting the location of Johnson County is also attached.

The proposed segment of SH 121 would be a 4-lane divided highway on a new location. For the most part, SH 121 would have 44-foot-wide pavement for both the north- and south-bound highway. Each section of divided highway would consist of two 12-foot-wide lanes with 10-foot-wide shoulders. There would be a 52-foot-wide median between north and south bound traffic. The segments of SH 121 just north and south of Sparks Road would include entrance and exit access ramps. At this location pavement width would be increased to 56 feet, incorporating a 12-foot-wide entrance/exit acceleration/deceleration lane to accommodate access to and from SH 121 and Sparks Road. A 58-foot-wide overpass would be constructed over SH 121 at Sparks Road. SH 121 would be raised on fill for the entirety of the project length (see attached Plan and Profile). Three borrow areas for construction fill are also proposed. These areas are depicted on the attached Conceptual Mitigation Plan. Borrow Area A would be approximately

Re: Section 106 Continuing Consultation, National Historic Preservation Act;  
Proposed Texas Department of Transportation Project, Fort Worth District  
CSJ: 0504-04-001 (previously 2118-01-008 and 2118-02-008); SH 121, from FM 1187 to US 67,  
Construct Divided Highway on New Location; Johnson County

424 feet wide by 1188 feet long. Borrow Area B would be approximately 613 feet wide by 1716 feet long. Borrow Area C would be approximately 292 feet wide by 613 feet long. Proposed ROW width for SH 121 would vary from approximately 327 to 516 feet along the length of the project.

Additionally, bridges would be constructed where SH 121 would cross West Buffalo Creek and an unnamed headwater of West Buffalo Creek. The divided bridges over West Buffalo Creek would each be 44 feet wide by 450 feet long. Approaches to the bridge would be raised on fill 10 feet high at the southern end of the bridge and 11 feet high at the northern end of the bridge. The divided bridges over the unnamed drainage would be 44 feet wide on the north-bound side and 56 feet wide on the south-bound side. Both bridges would be 450 feet long. Approaches to the bridge would be raised on fill 16 feet high on the southern end of the bridge and 7.5 feet high on the northern end of the bridge. At the southernmost extent of the project, where SH 121 intersects with SH 171, overpass bridges would be constructed allowing SH 121 to pass over SH 171 (see attached Plan and Profile). The location of this intersection is where the latest proposed ROW tapers back to the old proposed ROW. A map depicting the latest proposed ROW and the old proposed ROW location is enclosed (see attached SH 121 Right of Way Shift).

The area of potential effects (APE) for the project has been defined as all of the existing highway right of way (maximum of 516 feet wide for 2.05 miles) and the three proposed borrow areas for a total area of almost 168 acres. Vertical impacts would be confined to about 2-foot depths along the roadway. In general, borrow areas would be excavated to a depth of 5 feet.

Within the APE, SH 121 would be aligned mostly north to south. The terrain is relatively level along the length of the APE (see attached USGS map). Overall, the proposed highway would range in elevation from 830 feet (253 meters) above sea level at the base of the channel bed of the unnamed drainage to 859 feet (262 meters) above sea level at the southernmost edge of the APE (see attached Plan and Profile). Drainage occurs via West Buffalo Creek, a tributary of Buffalo Creek, and two unnamed drainages, both headwaters of West Buffalo Creek. Within the APE, West Buffalo Creek trends south and the two unnamed drainages trend east. All three are mapped as Intermittent by the USGS (see attached map). The USGS map, dated 1961 and photorevised 1978, does not depict Lake George Marl, indicating that the lake postdates 1978.

Most (89 percent) of the surface geologic deposits within the proposed APE have been mapped as belonging to Grayson Marl and Main Street Limestone undivided [Kgy] (Bureau of Economic Geology 1972: Geologic Atlas of Texas, Dallas Sheet, Scale 1:250,000. The University of Texas at Austin, Austin, Texas – see enlarged section). Grayson Marl and Main Street undivided is a Lower Cretaceous formation. As the Lower Cretaceous predates the existence of higher primates, the geologic deposits would, therefore, long predate any human presence in the Americas. Any archeological materials in these deposits would be expected to be at or close to the surface. Two sections of surface geologic deposits along the unnamed drainage and Buffalo Creek (11 percent), however, have been mapped as Holocene Alluvium [Qal]. As these deposits postdate the accepted start of human occupation in North America, they have the potential to contain buried archeological deposits.

Soil data were retrieved from the USDA Natural Resources Conservation Service Web Soil Survey (<http://websol survey.nrcs.usda.gov/app/WebSoilSurvey>) on November 25, 2008 (see attached map). As there were numerous mapped soils over the length of the APE, detailed information is presented in the following table (see Table 1 and attached map).

Re: Section 106 Continuing Consultation, National Historic Preservation Act;  
Proposed Texas Department of Transportation Project, Fort Worth District  
CSJ: 0504-04-001 (previously 2118-01-008 and 2118-02-008); SH 121, from FM 1187 to US 67,  
Construct Divided Highway on New Location; Johnson County

Table 1. Soil Data for Proposed Project Area.

Map Symbol	Soil	% APE	Horizon: Brief Description	Source/Location
CuB	Culp clay loam, 0-3% slopes [Vertic Arglistolls]	17.6	Ap: 0-18 cm (0-7 in), dark grayish brown clay loam B21t: 18-46 cm (7-18 in), dark grayish brown sandy clay loam, hard, firm, plastic B22t: 46-112 cm (18-44 in), dark brown sandy clay, hard, extremely firm, plastic	loamy alluvium of Quaternary age derived from mixed sources / stream terraces
Fr	Frio silty clay, occasionally flooded [Cumulic Haplustolls]	9.2	A1: 0-20 cm (0-8 in), dark grayish brown silty clay A2: 20-56 cm (8-22 in), dark grayish brown clay loam A3/A4: 56-102 cm (22-40 in), dark grayish brown silty clay loam Bk: 102-203cm (40-80 in), grayish brown silty clay	loamy and clayey, alluvial sediments derived from Cretaceous-aged limestone and shale / flood plains
LeB	Lewisville silty clay, 1-3% slopes [Udic Calcistolls]	6.5	Ap: 0-15 cm (0-6 in), dark grayish brown silty clay A: 15-41 cm (6-16 in), dark grayish brown silty clay Bk: 41-86 cm(16-34 in), grayish brown silty clay	clayey slope alluvium derived from ancient loamy and calcareous sediments / draws
PnB	Ponder clay loam, 1-3% slopes [Vertic Haplustalfs]	16.2	Ap: 0-18 cm (0-7 in), dark grayish brown clay loam, extremely hard, firm, sticky and plastic Bt1: 18-43 cm (7-17 in), brown clay, extremely hard, very firm, very sticky and plastic	clayey alluvium / stream terraces (Lower Cretaceous)
SaB	Sanger clay, 1-3% slopes [Udic Haplusterts]	0.3	Ap: 0-18 cm (0-7 in), dark grayish brown clay, extremely hard, very firm, sticky and plastic A: 18-97 cm (7-38 in), dark grayish brown clay, extremely hard, very firm, sticky and plastic Bkss: 97-140 cm (38-55 in), light yellowish brown silty clay, hard, firm, sticky and plastic	clayey residuum weathered from shale / ridges (Lower Cretaceous)
SIA	Slidell clay, 0-1% slopes [Udic Haplusterts]	36.8	Ap: 0-15 cm (0-6 in), dark gray clay, extremely hard, very firm A: 15-48 cm (6-19 in), very dark gray clay, extremely hard, very firm	clayey slope alluvium / ridges (Lower Cretaceous)
SIB	Slidell clay, 1-3% slopes [Udic Haplusterts]	3.6	Bss: 48-81cm (19-32 in), very dark gray clay, extremely hard, very firm	
WsA	Wilson silty clay loam, 0-1% slopes [Oxyaquic Vertic Haplustalfs]	9.7	Ap: 0-13 cm (0-5 in), very dark gray silt loam, very hard, firm, sticky and plastic Bt: 13-51 cm (5-20 in), very dark gray silty clay, extremely hard, very firm, very sticky and very plastic	loamy alluvium of Quaternary age derived from mixed sources / level to gently sloping terraces

Mapped soils primarily derived from ridge and stream terrace deposits of Cretaceous age (at least 57 percent). These soils long predate human presence in the Americas. Quaternary alluvial soils (27 percent) mapped within the APE include Culp clay loam and Wilson silty clay loam. Culp series soils reach a hard, firm, plastic, horizon by a depth of 18 centimeters (7 inches). Wilson series soils have a very hard, firm, sticky and plastic surface horizon which transitions to an extremely hard, very firm, very

Re: Section 106 Continuing Consultation, National Historic Preservation Act;  
Proposed Texas Department of Transportation Project, Fort Worth District  
CSJ: 0504-04-001 (previously 2118-01-008 and 2118-02-008); SH 121, from FM 1187 to US 67,  
Construct Divided Highway on New Location; Johnson County

stloky, and very plastic horizon by a depth of 13 centimeters (5 inches). Despite being Quaternary alluvium, the nature of the soils suggests all archeological materials would be close to or at the surface.

A check of the Texas Archeological Sites Atlas (Atlas) on November 26, 2008, shows no previously recorded archeological sites within, immediately adjacent to, or within one kilometer (0.621 mile) of the proposed APE (see attached map section). The Atlas check did show three linear surveys which overlap with and are directly adjacent to the APE. Two of these were conducted by TxDOT (as agents of FHWA) in January 1994 for an earlier version of the current project. The surveys consisted of both pedestrian survey and subsurface investigations. Those surveys identified one archeological site (41TR137 – a surficial lithic scatter) north of FM 1187 approximately 23 kilometers (14.2 miles) beyond the current APE. The third adjacent survey was conducted by the Soil Conservation Service in 1981 (see attached Atlas). No sites were identified. Additionally, an area survey 230 meters (755 feet) from the APE was conducted by the USDA-Rural Development in January 2007 and one linear survey 1.09 kilometers (0.677 mile) from the APE was conducted by an unlisted agency. No archeological sites were identified during either survey.

Additional field investigations are known which were conducted under the auspices of TxDOT. In May 2002, Geo-Marine, Inc. conducted an archeological impact evaluation of the prior preferred alignment for SH 121. The 2002 impact evaluation overlapped the 1994 FHWA surveys in four locations. Part of the 2002 field investigations included a segment between SH 171 and CR 904. A figure which depicts the location of the archeological project is attached. The extent of the impact evaluation corresponds to the "Old Row" demarcated on the SH 121 Right of Way Shift figure. The relationship of the "Latest Row" to the "Old Row" can be seen on that same figure. Much of the previously evaluated area overlaps with the newest proposed ROW alignment. Additionally, the proposed borrow areas fall within or partially overlap previously investigated areas (see attached Conceptual Mitigation Plan). The 2002 investigations concluded it was highly unlikely that any significant archeological resources would be impacted as the project area fell completely within an upland setting with shallow soils and little likelihood of buried deposits.

A check of the Texas State Highway Department State Highway Planning Survey of 1936 (Johnson County, sheet 127 – see enlarged attached section) revealed one dwelling and a rail line within or adjacent to the APE. The railway is listed as the Atchison-Topeka on the USGS Maps and as the Santa Fe on the State Highway Planning Survey of 1936. According to the Texas State Historical Association Handbook of Texas Online (Handbook) (retrieved on December 2, 2008, <http://www.tshaonline.org/handbook/online/articles/JJ/hcj8.html>), the Atchison, Topeka, and Santa Fe was constructed in Johnson County in 1881. Also, according to the Handbook, the Johnson County economy was primarily dependent on agriculture until the late twentieth century. The USGS map indicates the APE was under cultivation in 1978. Based on this and the lack of historic structures, it is likely the area has been heavily plowed, further disturbing archeological deposits.

Given the foregoing discussion of the geographical setting and the results of previous field investigations which are adjacent to or overlap the current APE, the project area is considered to have low probability for the presence of prehistoric archeological sites. Furthermore, any archeological sites which do occur within the APE would likely lack sufficient integrity to address important questions of prehistory. Therefore, TxDOT finds that the proposed project would not affect archeological historic properties (36 CFR 800.16(l)(1)) or State Archeological Landmarks (13 TAC 26.12) and recommends that no further archeological investigations are warranted.

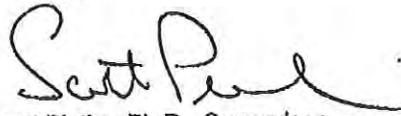
According to our Programmatic Agreement under Section 106 of the National Historic Preservation Act, we are willing to request your comments on historic properties of cultural or religious significance to your tribe that may be affected by the proposed undertaking. Any comments you may have on the TxDOT recommendation should also be provided. Please provide your comments within 30 days of receipt of this letter. Any comments provided after that time will be addressed to the fullest extent possible. If you do not

Re: Section 106 Continuing Consultation, National Historic Preservation Act;  
Proposed Texas Department of Transportation Project, Fort Worth District  
CSJ: 0504-04-001 (previously 2118-01-008 and 2118-02-008); SH 121, from FM 1187 to US 67,  
Construct Divided Highway on New Location; Johnson County

object with a recommendation of "no historic properties affected," please sign below to indicate your concurrence. In the event that further investigations by our office disclose the presence of archeological deposits, we will contact your tribe to continue consultation.

Thank you for your attention to this matter. If you have questions, please contact John Arnn (TxDOT Archeologist) at 512/416-2639 (email: jarnn@dot.state.tx.us) or me at 512/416-2631 (email: spletka@dot.state.tx.us).

Sincerely,



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

\_\_\_\_\_  
Concurrence by:

\_\_\_\_\_  
Date:

Attachments

cc w/attachments: Barbara Maley, Environmental Coordinator FHWA; Sonja Whitehead, TxDOT Fort Worth District Environmental Coordinator; Michelle Skinner, ENV-PM TxDOT; John Arnn, ENV-ARCH TxDOT; ENV-ARCH Project File

cc w/o attachments: ETS Scan

The attached letter was sent to the following tribes on December 3, 2008:

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

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

Mr. Dewey Tsonetokoy, Sr.,  
Cultural Preservation/NAGPRA Office  
Kiowa Indian Tribe of Oklahoma  
P.O. Box 369  
Carnegie, OK 73015

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

Mr. Kerry Holton, President  
The Delaware Nation  
P.O. Box 825  
Anadarko, OK 73005

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



RECEIVED DEC 09 2008

# Texas Department of Transportation

DEWITT C. GREER STATE HIGHWAY BLDG. • 126 E. 11TH STREET • AUSTIN, TEXAS 78701-2483 • (512) 463-8585

December 3, 2008

*TXDOT-ENV*

JAN 05 2009

*CRM*

Mr. Kerry Holton, President  
The Delaware Nation  
P.O. Box 825  
Anadarko, OK 73005

RE: CSJ: 0504-04-001 (previously 2118-01-008 and 2118-02-008); SH 121, from FM 1187 to US 67, Construct Divided Highway on New Location; Section 106 Continuing Consultation; Johnson County, Fort Worth District

Dear Mr. Holton:

The above referenced transportation project is being considered for construction by the Federal Highway Administration (FHWA) and the Texas Department of Transportation (TxDOT). Environmental studies are in the process of being conducted for this project. The project is located in an area that is of interest to your tribe. The purpose of this letter is to contact you in order to continue Section 106 consultation with your community pursuant to stipulations of the First Amended Programmatic Agreement among the Federal Highway Administration, the Texas Department of Transportation, the Texas State Historic Preservation Officer, and the Advisory Council on Historic Preservation Regarding the Implementation of Transportation Undertakings (PA-TU). Previous consultation was conducted by correspondence dated January 2, 2002. At that time, the proposed project was listed under CSJs: 2118-01-008 and 2118-02-008.

The original project involved the proposed construction of SH 121 from FM 1187 to US 67. The original location map which was enclosed with the January 2, 2002, letter is attached. The current consultation involves an adjustment to that project which would shift the proposed right of way (ROW) west of a prior alignment. The shift would only concern the 2.05-mile segment of SH 121, from SH 171 to just northwest of West Buffalo Creek. The location of the proposed change is depicted on the attached map of Johnson County. A state map depicting the location of Johnson County is also attached.

The proposed segment of SH 121 would be a 4-lane divided highway on a new location. For the most part, SH 121 would have 44-foot-wide pavement for both the north- and south-bound highway. Each section of divided highway would consist of two 12-foot-wide lanes with 10-foot-wide shoulders. There would be a 52-foot-wide median between north and south bound traffic. The segments of SH 121 just north and south of Sparks Road would include entrance and exit access ramps. At this location pavement width would be increased to 58 feet, incorporating a 12-foot-wide entrance/exit acceleration/deceleration lane to accommodate access to and from SH 121 and Sparks Road. A 58-foot-wide overpass would be constructed over SH 121 at Sparks Road. SH 121 would be raised on fill for the entirety of the project length (see attached Plan and Profile). Three borrow areas for construction fill are also proposed. These areas are depicted on the attached Conceptual Mitigation Plan. Borrow Area A would be approximately

THE TEXAS PLAN  
REDUCE CONGESTION • ENHANCE SAFETY • EXPAND ECONOMIC OPPORTUNITY • IMPROVE AIR QUALITY  
INCREASE THE VALUE OF OUR TRANSPORTATION ASSETS

*An Equal Opportunity Employer*

Re: Section 1 Continuing Consultation, National Historic Preservation Act;  
Proposed Texas Department of Transportation Project, Fort Worth District  
CSJ: 0504-04-001 (previously 2118-01-008 and 2118-02-008); SH 121, from FM 1187 to US 67,  
Construct Divided Highway on New Location; Johnson County

424 feet wide by 1188 feet long. Borrow Area B would be approximately 613 feet wide by 1716 feet long. Borrow Area C would be approximately 292 feet wide by 613 feet long. Proposed ROW width for SH 121 would vary from approximately 327 to 516 feet along the length of the project.

Additionally, bridges would be constructed where SH 121 would cross West Buffalo Creek and an unnamed headwater of West Buffalo Creek. The divided bridges over West Buffalo Creek would each be 44 feet wide by 450 feet long. Approaches to the bridge would be raised on fill 10 feet high at the southern end of the bridge and 11 feet high at the northern end of the bridge. The divided bridges over the unnamed drainage would be 44 feet wide on the north-bound side and 56 feet wide on the south-bound side. Both bridges would be 450 feet long. Approaches to the bridge would be raised on fill 16 feet high on the southern end of the bridge and 7.5 feet high on the northern end of the bridge. At the southernmost extent of the project, where SH 121 intersects with SH 171, overpass bridges would be constructed allowing SH 121 to pass over SH 171 (see attached Plan and Profile). The location of this intersection is where the latest proposed ROW tapers back to the old proposed ROW. A map depicting the latest proposed ROW and the old proposed ROW location is enclosed (see attached SH 121 Right of Way Shift).

The area of potential effects (APE) for the project has been defined as all of the existing highway right of way (maximum of 516 feet wide for 2.05 miles) and the three proposed borrow areas for a total area of almost 168 acres. Vertical impacts would be confined to about 2-foot depths along the roadway. In general, borrow areas would be excavated to a depth of 6 feet.

Within the APE, SH 121 would be aligned mostly north to south. The terrain is relatively level along the length of the APE (see attached USGS map). Overall, the proposed highway would range in elevation from 830 feet (253 meters) above sea level at the base of the channel bed of the unnamed drainage to 859 feet (262 meters) above sea level at the southernmost edge of the APE (see attached Plan and Profile). Drainage occurs via West Buffalo Creek, a tributary of Buffalo Creek, and two unnamed drainages, both headwaters of West Buffalo Creek. Within the APE, West Buffalo Creek trends south and the two unnamed drainages trend east. All three are mapped as intermittent by the USGS (see attached map). The USGS map, dated 1961 and photorevised 1978, does not depict Lake George Marl, indicating that the lake postdates 1978.

Most (89 percent) of the surface geologic deposits within the proposed APE have been mapped as belonging to Grayson Marl and Main Street Limestone undivided [Kgy] (Bureau of Economic Geology 1972: Geologic Atlas of Texas, Dallas Sheet, Scale 1:250,000, The University of Texas at Austin, Austin, Texas – see enlarged section). Grayson Marl and Main Street undivided is a Lower Cretaceous formation. As the Lower Cretaceous predates the existence of higher primates, the geologic deposits would, therefore, long predate any human presence in the Americas. Any archeological materials in these deposits would be expected to be at or close to the surface. Two sections of surface geologic deposits along the unnamed drainage and Buffalo Creek (11 percent), however, have been mapped as Holocene Alluvium [Qal]. As these deposits postdate the accepted start of human occupation in North America, they have the potential to contain buried archeological deposits.

Soil data were retrieved from the USDA Natural Resources Conservation Service Web Soil Survey (<http://websoilsurvey.nrcs.usda.gov/app/WebSoilSurvey>) on November 26, 2008 (see attached map). As there were numerous mapped soils over the length of the APE, detailed information is presented in the following table (see Table 1 and attached map).

Re: Section 1 Continuing Consultation, National Historic Preservation Act;  
Proposed Texas Department of Transportation Project, Fort Worth District  
CSJ: 0504-04-001 (previously 2118-01-008 and 2118-02-008); SH 121, from FM 1187 to US 67,  
Construct Divided Highway on New Location; Johnson County

Table 1. Soil Data for Proposed Project Area.

Map Symbol	Soil	% APE	Horizon: Brief Description	Source/Location
CuB	Culp clay loam, 0-3% slopes [Vertic Arglostolls]	17.6	Ap: 0-18 cm (0-7 in), dark grayish brown clay loam B21t: 18-46 cm (7-18 in), dark grayish brown sandy clay loam, hard, firm, plastic B22t: 46-112 cm (18-44 in), dark brown sandy clay, hard, extremely firm, plastic	loamy alluvium of Quaternary age derived from mixed sources / stream terraces
Fr	Frlo silty clay, occasionally flooded [Cumulic Haplustolls]	9.2	A1: 0-20 cm (0-8 in), dark grayish brown silty clay A2: 20-56 cm (8-22 in), dark grayish brown clay loam A3/A4: 56-102 cm (22-40 in), dark grayish brown silty clay loam Bk: 102-203cm (40-80 in), grayish brown silty clay	loamy and clayey alluvial sediments derived from Cretaceous-aged limestone and shale / flood plains
LeB	Lewisville silty clay, 1-3% slopes [Udic Calclostolls]	6.5	Ap: 0-15 cm (0-6 in), dark grayish brown silty clay A: 15-41 cm (6-16 in), dark grayish brown silty clay Bk: 41-86 cm (16-34 in), grayish brown silty clay	clayey slope alluvium derived from ancient loamy and calcareous sediments / draws
PnB	Ponder clay loam, 1-3% slopes [Vertic Haplustalfs]	16.2	Ap: 0-18 cm (0-7 in), dark grayish brown clay loam, extremely hard, firm, sticky and plastic Bt1: 18-43 cm (7-17 in), brown clay, extremely hard, very firm, very sticky and plastic	clayey alluvium / stream terraces (Lower Cretaceous)
SaB	Sanger clay, 1-3% slopes [Udic Haplusterts]	0.3	Ap: 0-18 cm (0-7 in), dark grayish brown clay, extremely hard, very firm, sticky and plastic A: 18-97 cm (7-38 in), dark grayish brown clay, extremely hard, very firm, sticky and plastic Bkss: 97-140 cm (38-55 in), light yellowish brown silty clay, hard, firm, sticky and plastic	clayey residuum weathered from shale / ridges (Lower Cretaceous)
SIA	Slidell clay, 0-1% slopes [Udic Haplusterts]	36.8	Ap: 0-15 cm (0-6 in), dark gray clay, extremely hard, very firm A: 15-48 cm (6-19 in), very dark gray clay, extremely hard, very firm	clayey slope alluvium / ridges (Lower Cretaceous)
SIB	Slidell clay, 1-3% slopes [Udic Haplusterts]	3.6	Bss: 48-81cm (19-32 in), very dark gray clay, extremely hard, very firm	
WsA	Wilson silty clay loam, 0-1% slopes [Oxyaquic Vertic Haplustalfs]	9.7	Ap: 0-13 cm (0-5 in), very dark gray silt loam, very hard, firm, sticky and plastic Bt: 13-51 cm (5-20 in), very dark gray silty clay, extremely hard, very firm, very sticky and very plastic	loamy alluvium of Quaternary age derived from mixed sources / level to gently sloping terraces

Mapped soils primarily derived from ridge and stream terrace deposits of Cretaceous age (at least 57 percent). These soils long predate human presence in the Americas. Quaternary alluvial soils (27 percent) mapped within the APE include Culp clay loam and Wilson silty clay loam. Culp series soils reach a hard, firm, plastic, horizon by a depth of 18 centimeters (7 inches). Wilson series soils have a very hard, firm, sticky and plastic surface horizon which transitions to an extremely hard, very firm, very

Re: Section 1a Continuing Consultation, National Historic Preservation Act;  
Proposed Texas Department of Transportation Project, Fort Worth District  
CSJ: 0504-04-001 (previously 2118-01-008 and 2118-02-008); SH 121, from FM 1187 to US 87,  
Construct Divided Highway on New Location; Johnson County

sticky, and very plastic horizon by a depth of 13 centimeters (5 inches). Despite being Quaternary alluvium, the nature of the soils suggests all archeological materials would be close to or at the surface.

A check of the Texas Archeological Sites Atlas (Atlas) on November 25, 2008, shows no previously recorded archeological sites within, immediately adjacent to, or within one kilometer (0.621 mile) of the proposed APE (see attached map section). The Atlas check did show three linear surveys which overlap with and are directly adjacent to the APE. Two of these were conducted by TxDOT (as agents of FHWA) in January 1994 for an earlier version of the current project. The surveys consisted of both pedestrian survey and subsurface investigations. Those surveys identified one archeological site (41TR137 – a surficial lithic scatter) north of FM 1187 approximately 23 kilometers (14.2 miles) beyond the current APE. The third adjacent survey was conducted by the Soil Conservation Service in 1981 (see attached Atlas). No sites were identified. Additionally, an area survey 230 meters (755 feet) from the APE was conducted by the USDA-Rural Development in January 2007 and one linear survey 1.09 kilometers (0.677 mile) from the APE was conducted by an unlisted agency. No archeological sites were identified during either survey.

Additional field investigations are known which were conducted under the auspices of TxDOT. In May 2002, Geo-Marine, Inc. conducted an archeological impact evaluation of the prior preferred alignment for SH 121. The 2002 impact evaluation overlapped the 1994 FHWA surveys in four locations. Part of the 2002 field investigations included a segment between SH 171 and CR 904. A figure which depicts the location of the archeological project is attached. The extent of the impact evaluation corresponds to the "Old Row" demarcated on the SH 121 Right of Way Shift figure. The relationship of the "Latest Row" to the "Old Row" can be seen on that same figure. Much of the previously evaluated area overlaps with the newest proposed ROW alignment. Additionally, the proposed borrow areas fall within or partially overlap previously investigated areas (see attached Conceptual Mitigation Plan). The 2002 investigations concluded it was highly unlikely that any significant archeological resources would be impacted as the project area fell completely within an upland setting with shallow soils and little likelihood of buried deposits.

A check of the Texas State Highway Department State Highway Planning Survey of 1936 (Johnson County, sheet 127 – see enlarged attached section) revealed one dwelling and a rail line within or adjacent to the APE. The railway is listed as the Atchison-Topeka on the USGS Maps and as the Santa Fe on the State Highway Planning Survey of 1936. According to the Texas State Historical Association Handbook of Texas Online (Handbook) (retrieved on December 2, 2008, <http://www.tshaonline.org/handbook/online/articles/JJ/hcj8.html>), the Atchison, Topeka, and Santa Fe was constructed in Johnson County in 1881. Also, according to the Handbook, the Johnson County economy was primarily dependent on agriculture until the late twentieth century. The USGS map indicates the APE was under cultivation in 1978. Based on this and the lack of historic structures, it is likely the area has been heavily plowed, further disturbing archeological deposits.

Given the foregoing discussion of the geographical setting and the results of previous field investigations which are adjacent to or overlap the current APE, the project area is considered to have low probability for the presence of prehistoric archeological sites. Furthermore, any archeological sites which do occur within the APE would likely lack sufficient integrity to address important questions of prehistory. Therefore, TxDOT finds that the proposed project would not affect archeological historic properties (36 CFR 800.16(l)(1)) or State Archeological Landmarks (13 TAC 26.12) and recommends that no further archeological investigations are warranted.

According to our Programmatic Agreement under Section 106 of the National Historic Preservation Act, we are willing to request your comments on historic properties of cultural or religious significance to your tribe that may be affected by the proposed undertaking. Any comments you may have on the TxDOT recommendation should also be provided. Please provide your comments within 30 days of receipt of this letter. Any comments provided after that time will be addressed to the fullest extent possible. If you do not

Re: Section Continuing Consultation, National Historic Preservation Act;  
Proposed Texas Department of Transportation Project, Fort Worth District  
CSJ: 0504-04-001 (previously 2118-01-008 and 2118-02-008); SH 121, from FM 1187 to US 67,  
Construct Divided Highway on New Location; Johnson County

object with a recommendation of "no historic properties affected," please sign below to indicate your concurrence. In the event that further investigations by our office disclose the presence of archeological deposits, we will contact your tribe to continue consultation.

Thank you for your attention to this matter. If you have questions, please contact John Arnn (TxDOT Archeologist) at 512/416-2639 (email: jarnn@dot.state.tx.us) or me at 512/416-2631 (email: spletk@dot.state.tx.us).

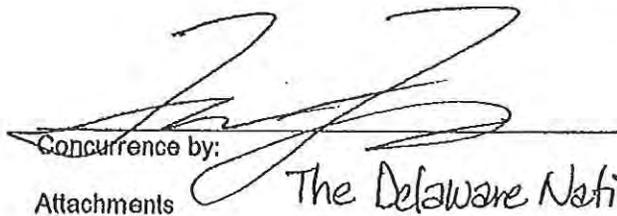
Sincerely,



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

DIST 02 FT. WORTH  
TXDOT MAILROOM

JAN 08 2009



Concurrence by: \_\_\_\_\_  
Attachments *The Delaware Nation*

Date: 12-15-2008

cc w/attachments: Barbara Maley, Environmental Coordinator FHWA; Sonja Whitehead, TxDOT Fort Worth District Environmental Coordinator; Michelle Skinner, ENV-PM TxDOT; John Arnn, ENV-ARCH TxDOT; ENV-ARCH Project File

cc w/o attachments: ETS Scan

**TXDOT-ENV**

JAN 05 2009

**CRM**



TONKAWA TRIBE OF OKLAHOMA  
**NATIVE AMERICAN GRAVES PROTECTION  
AND REPATRIATION ACT**

• 1 RUSH BUFFALO ROAD, TONKAWA, OKLAHOMA 74653 •  
• PHONE (580) 628-2561 • FAX: (580) 628-9903 •  
WEB SITE: www.tonkawatribe.com

Texas Department of Transportation  
Dewitt C. Greer State Highway Bldg.  
125 E. 11<sup>th</sup> Street  
Austin, Texas 78701-2483

Date: December 9, 2008

Regarding the proposed construction projects listed we submit the following:

- Project No. CSJ: 0913-22-033 (YKM)
- Project No. CSJ: 0504-04-001 (previously 2118-01-008 & 2118-02-008) (FTW)
- Project No. CSJ: 0914-04-200 (AUS)
- Project No. CSJ: 0912-00-262 (HOU)

The Tonkawa Tribe has no specifically designated historical or cultural sites identified in the above listed project area. However if any human remains, funerary objects, or other evidence of historical or cultural significance is inadvertently discovered then the Tonkawa Tribe would certainly be interested in proper disposition thereof.

We appreciate notification by your office of the many projects on-going, and as always the Tonkawa Tribe is willing to work with your representatives in any manner to uphold the provisions of NAGPRA to the extent of our capability.

Respectfully,

NAGPRA Representative

Tonkawa Tribe Business Committee

TXDOT-ENV

DEC 10 2008

CRM

Concurrence:

*Handwritten notes:*  
12/15/08  
C-12/16/08  
LHJ  
Scott P  
CWC

RECEIVED  
DEC 10 2008  
TXDOT

DIST 02 FT. WORTH  
TXDOT MAILROOM  
DEC 10 2008



# MEMORANDUM

**TO:** Michelle Skinner, ENV-PRO  
**CC:** Judy Anderson

**DATE:** August 20, 2009

**FROM:** Mark Brown, ENV/CRM

**SUBJECT:** Comment on NEPA document circulated 7/1/09

**District:** Fort Worth                      **Highway:** SH 121  
**County:** Johnson  
**CSJ #:** 0504-04-001  
**Project Limits:** from FM 1187 to US 670

---

Section 106 consultation for the above referenced re-evaluation closed on August 13, 2009. Negative survey: no historic age resources in 300' APE. A copy of the negative survey memo must be included in the Appendices.

Replace the 2<sup>nd</sup> paragraph (The APE, as designated . . .) on page 37 with the following text:

"The historic resources survey completed for the 2004 FONSI remains valid except for the project area divergent from the alignment approved under the FONSI. TxDOT historians surveyed the new APE and determined that no historic-age resources are present and that individual project coordination with SHPO is not required"

CRM-HIST recommends creating separate subsections within section 3.12 for archeological and non-archeological cultural resources.

Create a table listing the eight known historic sites mentioned in the third paragraph of Section 4.1.16, p. 53. Add a map showing their locations.

Replace the third paragraph of Section 4.1.16, p. 53 with the following:

"Section 106 coordination determined that there are no historic resources in the APE of the Modified Alignment under reevaluation. Therefore the Modified Alignment can have no indirect or cumulative effects. There are eight known historic sites that are listed on, or eligible for listing on, the NRHP in the Resource Study Area (Table \_ and Figure\_), but none would be impacted by the induced development forecasted by the local planners. Although it is possible that other historic

sites exist in the induced development area for the proposed project, it is not possible to determine potential effects as the exact locations and nature of the resources are unknown."

Please contact me at 512.416.2600 should you have any questions or require additional information.

###

District: Fort Worth  
County: Johnson  
CSJ #: 0504-04-001

---

## JOHNSON COUNTY

### BIRDS

		Federal Status	State Status
<b>American Peregrine Falcon</b>	<i>Falco peregrinus anatum</i>	DL	T
<p>year-round resident and local breeder in west Texas, nests in tall cliff eyries; also, migrant across state from more northern breeding areas in US and Canada, winters along coast and farther south; occupies wide range of habitats during migration, including urban, concentrations along coast and barrier islands; low-altitude migrant, stopovers at leading landscape edges such as lake shores, coastlines, and barrier islands.</p>			
<b>Arctic Peregrine Falcon</b>	<i>Falco peregrinus tundrius</i>	DL	
<p>migrant throughout state from subspecies' far northern breeding range, winters along coast and farther south; occupies wide range of habitats during migration, including urban, concentrations along coast and barrier islands; low-altitude migrant, stopovers at leading landscape edges such as lake shores, coastlines, and barrier islands.</p>			
<b>Bald Eagle</b>	<i>Haliaeetus leucocephalus</i>	DL	T
<p>found primarily near rivers and large lakes; nests in tall trees or on cliffs near water; communally roosts, especially in winter; hunts live prey, scavenges, and pirates food from other birds</p>			
<b>Black-capped Vireo</b>	<i>Vireo atricapilla</i>	LE	E
<p>oak-juniper woodlands with distinctive patchy, two-layered aspect; shrub and tree layer with open, grassy spaces; requires foliage reaching to ground level for nesting cover; return to same territory, or one nearby, year after year; deciduous and broad-leaved shrubs and trees provide insects for feeding; species composition less important than presence of adequate broad-leaved shrubs, foliage to ground level, and required structure; nesting season March-late summer</p>			
<b>Golden-cheeked Warbler</b>	<i>Dendroica chrysoparia</i>	LE	E
<p>juniper-oak woodlands; dependent on Ashe juniper (also known as cedar) for long fine bark strips, only available from mature trees, used in nest construction; nests are placed in various trees other than Ashe juniper; only a few mature junipers or nearby cedar brakes can provide the necessary nest material; forage for insects in broad-leaved trees and shrubs; nesting late March-early summer</p>			
<b>Henslow's Sparrow</b>	<i>Ammodramus henslowii</i>		
<p>wintering individuals (not flocks) found in weedy fields or cut-over areas where lots of bunch grasses occur along with vines and brambles; a key component is bare ground for running/walking</p>			
<b>Interior Least Tern</b>	<i>Sterna antillarum athalassos</i>	LE	E
<p>subspecies is listed only when inland (more than 50 miles from a coastline); nests along sand and gravel bars within braided streams, rivers; also know to nest on man-made structures (inland beaches, wastewater treatment plants, gravel mines, etc); eats small fish and crustaceans, when breeding forages within a few hundred feet of colony</p>			
<b>Peregrine Falcon</b>	<i>Falco peregrinus</i>	DL	T



## JOHNSON COUNTY

### MOLLUSKS

Federal Status

State Status

**Texas fawnsfoot**

*Truncilla macrodon*

T

little known; possibly rivers and larger streams, and intolerant of impoundment; flowing rice irrigation canals, possibly sand, gravel, and perhaps sandy-mud bottoms in moderate flows; Brazos and Colorado River basins

### REPTILES

Federal Status

State Status

**Brazos water snake**

*Nerodia harteri*

T

upper Brazos River drainage; in shallow water with rocky bottom and on rocky portions of banks

**Texas garter snake**

*Thamnophis sirtalis annectens*

wet or moist microhabitats are conducive to the species occurrence, but is not necessarily restricted to them; hibernates underground or in or under surface cover; breeds March-August

**Texas horned lizard**

*Phrynosoma cornutum*

T

open, arid and semi-arid regions with sparse vegetation, including grass, cactus, scattered brush or scrubby trees; soil may vary in texture from sandy to rocky; burrows into soil, enters rodent burrows, or hides under rock when inactive; breeds March-September

**Timber/Canebrake  
rattlesnake**

*Crotalus horridus*

T

swamps, floodplains, upland pine and deciduous woodlands, riparian zones, abandoned farmland; limestone bluffs, sandy soil or black clay; prefers dense ground cover, i.e. grapevines or palmetto



**U.S. Fish & Wildlife Service**

**Endangered Species List**

[Back to Start](#)

**List of species by county for Texas:**

Counties Selected: Johnson

Select one or more counties from the following list to view a county list:

- Anderson
- Andrews
- Angelina
- Aransas
- Archer

[View County List](#)

**Johnson County**

<u>Common Name</u>	<u>Scientific Name</u>	<u>Species Group</u>	<u>Listing Status</u>	<u>Species Image</u>	<u>Species Distribution Map</u>	<u>Critical Habitat</u>	<u>More Info</u>
bald eagle	<i>Haliaeetus leucocephalus</i>	Birds	DM				<a href="#">P</a>
black-capped Vireo	<i>Vireo atricapilla</i>	Birds	E				<a href="#">P</a>
golden-cheeked warbler (=wood)	<i>Dendroica chrysoparia</i>	Birds	E				<a href="#">P</a>
whooping crane	<i>Grus americana</i>	Birds	E, EXPN				<a href="#">P</a>

## TARRANT COUNTY

### BIRDS

		Federal Status	State Status
<b>American Peregrine Falcon</b>	<i>Falco peregrinus anatum</i>	DL	T
<p>year-round resident and local breeder in west Texas, nests in tall cliff eyries; also, migrant across state from more northern breeding areas in US and Canada, winters along coast and farther south; occupies wide range of habitats during migration, including urban, concentrations along coast and barrier islands; low-altitude migrant, stopovers at leading landscape edges such as lake shores, coastlines, and barrier islands.</p>			
<b>Arctic Peregrine Falcon</b>	<i>Falco peregrinus tundrius</i>	DL	
<p>migrant throughout state from subspecies' far northern breeding range, winters along coast and farther south; occupies wide range of habitats during migration, including urban, concentrations along coast and barrier islands; low-altitude migrant, stopovers at leading landscape edges such as lake shores, coastlines, and barrier islands.</p>			
<b>Bald Eagle</b>	<i>Haliaeetus leucocephalus</i>	DL	T
<p>found primarily near rivers and large lakes; nests in tall trees or on cliffs near water; communally roosts, especially in winter; hunts live prey, scavenges, and pirates food from other birds</p>			
<b>Henslow's Sparrow</b>	<i>Ammodramus henslowii</i>		
<p>wintering individuals (not flocks) found in weedy fields or cut-over areas where lots of bunch grasses occur along with vines and brambles; a key component is bare ground for running/walking</p>			
<b>Interior Least Tern</b>	<i>Sterna antillarum athalassos</i>	LE	E
<p>subspecies is listed only when inland (more than 50 miles from a coastline); nests along sand and gravel bars within braided streams, rivers; also know to nest on man-made structures (inland beaches, wastewater treatment plants, gravel mines, etc); eats small fish and crustaceans, when breeding forages within a few hundred feet of colony</p>			
<b>Peregrine Falcon</b>	<i>Falco peregrinus</i>	DL	T
<p>both subspecies migrate across the state from more northern breeding areas in US and Canada to winter along coast and farther south; subspecies (F. p. anatum) is also a resident breeder in west Texas; the two subspecies' listing statuses differ, F.p. tundrius is no longer listed in Texas; but because the subspecies are not easily distinguishable at a distance, reference is generally made only to the species level; see subspecies for habitat.</p>			
<b>Western Burrowing Owl</b>	<i>Athene cunicularia hypugaea</i>		
<p>open grasslands, especially prairie, plains, and savanna, sometimes in open areas such as vacant lots near human habitation or airports; nests and roosts in abandoned burrows</p>			
<b>Whooping Crane</b>	<i>Grus americana</i>	LE	E
<p>potential migrant via plains throughout most of state to coast; winters in coastal marshes of Aransas, Calhoun, and Refugio counties</p>			

### FISHES

		Federal Status	State Status
<b>Shovelnose sturgeon</b>	<i>Scaphirhynchus platorynchus</i>		T

## TARRANT COUNTY

### FISHES

Federal Status    State Status

open, flowing channels with bottoms of sand or gravel; spawns over gravel or rocks in an area with a fast current; Red River below reservoir and rare occurrence in Rio Grande

### MAMMALS

Federal Status    State Status

**Gray wolf**                                      *Canis lupus*                                      LE                                      E

extirpated; formerly known throughout the western two-thirds of the state in forests, brushlands, or grasslands

**Plains spotted skunk**                                      *Spilogale putorius interrupta*

catholic; open fields, prairies, croplands, fence rows, farmyards, forest edges, and woodlands; prefers wooded, brushy areas and tallgrass prairie

**Red wolf**                                      *Canis rufus*                                      LE                                      E

extirpated; formerly known throughout eastern half of Texas in brushy and forested areas, as well as coastal prairies

### MOLLUSKS

Federal Status    State Status

**Fawnsfoot**                                      *Truncilla donaciformis*

small and large rivers especially on sand, mud, rocky mud, and sand and gravel, also silt and cobble bottoms in still to swiftly flowing waters; Red (historic), Cypress (historic), Sabine (historic), Neches, Trinity, and San Jacinto River basins.

**Little spectaclecase**                                      *Villosa lienosa*

creeks, rivers, and reservoirs, sandy substrates in slight to moderate current, usually along the banks in slower currents; east Texas, Cypress through San Jacinto River basins

**Louisiana pigtoe**                                      *Pleurobema riddellii*                                      T

streams and moderate-size rivers, usually flowing water on substrates of mud, sand, and gravel; not generally known from impoundments; Sabine, Neches, and Trinity (historic) River basins

**Texas heelsplitter**                                      *Potamilus amphichaenus*                                      T

quiet waters in mud or sand and also in reservoirs. Sabine, Neches, and Trinity River basins

### REPTILES

Federal Status    State Status

**Texas garter snake**                                      *Thamnophis sirtalis annectens*

wet or moist microhabitats are conducive to the species occurrence, but is not necessarily restricted to them; hibernates underground or in or under surface cover; breeds March-August

**Texas horned lizard**                                      *Phrynosoma cornutum*                                      T

open, arid and semi-arid regions with sparse vegetation, including grass, cactus, scattered brush or scrubby trees; soil may vary in texture from sandy to rocky; burrows into soil, enters rodent burrows, or hides under rock when inactive; breeds March-September

## TARRANT COUNTY

### REPTILES

		Federal Status	State Status
<b>Timber/Canebrake rattlesnake</b>	<i>Crotalus horridus</i>		T
swamps, floodplains, upland pine and deciduous woodlands, riparian zones, abandoned farmland; limestone bluffs, sandy soil or black clay; prefers dense ground cover, i.e. grapevines or palmetto			

### PLANTS

		Federal Status	State Status
<b>Glen Rose yucca</b>	<i>Yucca necopina</i>		
Texas endemic; grasslands on sandy soils and limestone outcrops; flowering April-June			

Group	Name	Population	Status	Lead Office	Recovery Plan Name	Recovery Plan Stage
Birds	Whooping crane (Grus	U.S.A. (CO, ID, FL, NM, UT,	Experimental Population, Non-	Office Of The Regional Director		
Birds	Bald eagle (Haliaeetus	Sonoran Desert DPS	Threatened	Arizona Ecological Services		
Birds	Arctic peregrine Falcon (Falco		Recovery	Fairbanks Fish And Wildlife		
Birds	Northern aplomado falcon		Endangered	New Mexico Ecological Services	Aplomado Falcon (Northern)	Final
Birds	Mountain plover (Charadrius		Proposed Threatened			
Birds	Least tern (Sterna antillarum)	interior pop.	Endangered	Columbia Ecological Services	Least Tern (Interior Pop.)	Final
Flowering Plants	Slender rush-pea		Endangered	Corpus Christi Ecological	Slender Rush-pea	Final
Mammals	American black bear (Ursus	County range of LA b.bear	Similarity of Appearance	Office Of The Regional Director		



August 20, 2010

Life's better outside.™

Andy Blair  
Ecological Resources Branch  
Environmental Affairs Division  
Texas Department of Transportation  
125 East 11th Street  
Austin, TX 78701-2483

Commissioners

Peter M. Holt  
Chairman  
San Antonio

T. Dan Friedkin  
Vice-Chairman  
Houston

Mark E. Bivins  
Amarillo

J. Robert Brown  
El Paso

Ralph H. Duggins  
Fort Worth

Antonio Falcon, M.D.  
Rio Grande City

Karen J. Hixon  
San Antonio

Margaret Martin  
Boerne

John D. Parker  
Lufkin

Lee M. Bass  
Chairman-Emeritus  
Fort Worth

Carter P. Smith  
Executive Director

RE: Environmental Assessment Re-evaluation for SH 121: From FM 1187 to US 67  
(CSJ 0504-05-001 and 0504-04-001, Johnson and Tarrant counties)

Dear Mr. Blair:

Texas Parks and Wildlife Department (TPWD) has reviewed the Environmental Assessment Re-evaluation (EA) for the proposed 14-mile new-location construction of SH 121. The original project received a Finding of No Significant Impact (FONSI) in 2004 and was proposed as a two-lane interim facility to be ultimately improved to a divided four-lane toll facility. Since issuance of the 2004 FONSI, the revised alignment (Modified Alignment) was shifted to avoid and minimize impacts to waters of the U.S. at West Buffalo Creek, and the facility would be built as an electronic four-lane divided toll facility, foregoing the proposal for an interim two-lane facility.

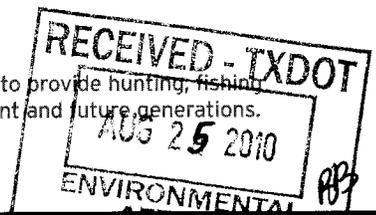
Under section 12.0011 of the Texas Parks and Wildlife Code, TPWD is charged with "providing recommendations that will protect fish and wildlife resources to local, state, and federal agencies that approve, permit, license, or construct developmental projects" and "providing information on fish and wildlife resources to any local, state, and federal agencies or private organizations that make decisions affecting those resources." TPWD provides the following recommendations to minimize impact to fish and wildlife resources.

**Re-Vegetation**

This project is situated in the Cross Timbers and Prairies Ecoregion and some undeveloped portions of the project area still exhibit Silver Bluestem – Texas Wintergrass grasslands and Post Oak Woods, Forest, and Grassland Mosaic vegetation types.

The EA indicates that revegetation would involve the approved rural seed mix for the Fort Worth District. The rural seed mix for sandy soils includes bermudagrass (*Cynodon dactylon*) and weeping lovegrass (*Eragrostis curvula*), which are not native and exhibit invasive characteristics, as indicated at the TexasNonNatives.org website <http://www.texasnonnatives.org/MENUTexnonnative.htm>.

Native rangeland that is not subjected to intense grazing can provide suitable habitat for grassland birds and other wildlife. America's grasslands are diminishing due to habitat



fragmentation and loss as a result of development, conversion to non-native pastures, and woody encroachment. Where the study area contains native grassland or rangeland habitat, there is potential for the site to support local quail populations and other grassland birds, many of which are facing population declines.

Recommendation: The use of native species of grass and forbs is preferred over bermudagrass and weeping lovegrass for revegetation within the ROW. This is especially important where property on one or both sides of the proposed ROW contain native species. This includes the mesquite pasture, pasture/grasslands, and upland woodland areas within the project area that do not exhibit an abundance of introduced species. Introduction of non-native species into native landscapes should be prevented.

### **Non-Regulatory Habitat Impacts**

The proposed project would convert 644 acres of undeveloped land to transportation use. The EA summarizes vegetation impacts as 313.8 acres pasture/grassland, 106.9 acres mesquite pasture, 71.2 rural developed, 57.9 regenerative areas, 48 acres upland woodlands, 39.7 acres riparian woodlands, and 6.1 acres water bodies.

The EA indicates a number of native grassland species occurring within the pasture/grassland and mesquite pasture cover types of the project area. The condition of such grasslands cannot be determined from the data presented. Without field data collected from multi-location sampling surveys, the proportion of these cover types that exhibit native characteristics cannot be fully captured and interpreted. With approximately 421 acres of permanent conversion of grassland/pasture and mesquite pasture to transportation use, the loss to native species and habitat associated with these vast grasslands is significant. The potential for restoration of degraded habitat within such grasslands would also be lost where there is conversion to transportation use. Additionally, the northern mile of the project crosses a potential conservation area targeted by the Great Plains Restoration Council <http://www.gprc.org/fortworthprairiepark.html>.

The Texas Department of Transportation (TxDOT)-TPWD Memorandum of Understanding (MOU) includes native prairies as a habitat type to be considered for non-regulatory mitigation. For this project, TxDOT has not offered non-regulatory compensatory mitigation for loss to native prairie habitat and indicates that no native prairie remnants are within the project area. Although virgin prairie remnants may not be within the project area, the native species occurring in the grasslands and pastures indicate native grassland habitat is present.

Recommendation: Because the project contains impacts to **native grassland** species, either as pasture/grassland or mesquite pasture, TPWD **strongly recommends** TxDOT provide mitigation for these impacts, as the location of the project is within grassland and mosaic grassland vegetation types. TxDOT should reconsider and provide non-regulatory mitigation on an acre-to-acre basis for impact to 421 acres of native grassland habitat.

Recommendation: Mitigation for loss to native grasses could include native grass restoration in large open, upland areas. TxDOT should consider providing monetary support for prairie restoration and for placing land under conservation easements. TxDOT's efforts for establishing non-regulatory mitigation for prairie impacts in the north-central part of Texas should attempt to focus on contiguous properties to gain the best results for the targeted ecosystem. The Native Prairie Association of Texas, the Nature Conservancy of Texas, and the Great Plains Restoration Council are examples of non-profit organizations with interest in native grassland habitats of North Central Texas and should be contacted for partnering in grassland restoration and mitigation.

The TxDOT-TPWD MOU includes riparian areas as a habitat type to be considered for non-regulatory mitigation. For this project, TxDOT has not offered non-regulatory compensatory mitigation for loss to 39.7 acres of riparian habitat and indicates that in accordance with Section 404 permitting, compensatory mitigation would be incorporated in to the proposed project. The EA indicated a total of 0.88 acre of impact to waters of the U.S. and did not convey the portion of 39.7 acres of riparian habitat that would be provided regulatory compensatory mitigation under Section 404 permitting.

Recommendation: Because the project contains considerable impacts to **riparian areas**, TPWD **strongly recommends** TxDOT provide mitigation for these impacts. TxDOT should provide details showing that the proposed Section 404 mitigation plan includes 39.7 acres of riparian habitat mitigation. If the Section 404 permitting falls short of 39.7 acres riparian habitat, then TxDOT should reconsider and provide non-regulatory compensatory mitigation under the MOU on an acre-to-acre basis for impact to riparian habitats that would not be provided mitigation under Section 404 permitting.

Please be aware that a written response to a TPWD recommendation or informational comment received by a state governmental agency on or after September 1, 2009 may be required by state law. For further guidance, see the Texas Parks and Wildlife Code, Section 12.0011, which can be found online at <http://www.statutes.legis.state.tx.us/Docs/PW/htm/PW.12.htm#12.0011>. For tracking purposes, please refer to TPWD Project Number 6123 in any return correspondence regarding this project.

TPWD advises review and implementation of these recommendations. If you have any questions, please contact me at (903) 322-5001.

Sincerely,



Karen B. Hardin  
Wildlife Habitat Assessment Program  
Wildlife Division

kbh/6123



# Texas Department of Transportation

P.O. BOX 6868 • FORT WORTH, TEXAS 76115-0868 • (817) 370-6500

November 9, 2010

Contact: TPD - JJA

SH 121: From FM 1187 to US 67  
CSJ: 0504-04-001 & 0504-05-001  
Tarrant and Johnson Counties

Karen B. Hardin  
Wildlife Habitat Assessment Program  
Texas Parks and Wildlife Department, Wildlife Division  
4200 Smith School Road  
Austin, Texas 78744-3291

Dear Ms. Hardin,

This is in response to the review and implementation of recommendations received for the above captioned subject. The Texas Department of Transportation (TxDOT) has reviewed the recommendations and offers the following responses.

*TPWD Recommendation: The use of native species of grass and forbs is preferred over bermudagrass and weeping lovegrass for revegetation within the ROW. This is especially important where property on one or both sides of the proposed ROW contain native species. This includes the mesquite pasture, pasture/grasslands, and upland woodland areas within the project area that do not exhibit an abundance of introduced species. Introduction of non-native species into native landscapes should be prevented.*

**TxDOT Response:** It should be noted that many of the grasses within the specified seed mix are used to control erosion immediately after ground disturbing activities which could be a detriment in the area, if uncontrolled. In addition, many of the seed mixes are chosen based on the time of year that seeding occurs; many native species may not be in an active growth mode when a disturbed area needs to be seeded. TxDOT will utilize the standard seed mixes per the bid item.

*TPWD Recommendation: Because the project contains impacts to native grassland species, either as pasture/grassland or mesquite pasture, TPWD strongly recommends TxDOT provide mitigation for these impacts, as the location of the project is within grassland and mosaic grassland vegetation types. TxDOT should reconsider and provide non-regulatory mitigation on an acre-to-acre basis for impact to 421 acres of native grassland habitat. Mitigation for loss to native grasses could include native grass*

THE TEXAS PLAN

REDUCE CONGESTION • ENHANCE SAFETY • EXPAND ECONOMIC OPPORTUNITY • IMPROVE AIR QUALITY  
PRESERVE THE VALUE OF TRANSPORTATION ASSETS

An Equal Opportunity Employer

P.I.  
0504-04-001  
0504-05-001

*restoration in large open, upland areas. TxDOT should consider providing monetary support for prairie restoration and for placing land under conservation easements. TxDOT's efforts for establishing non-regulatory mitigation for prairie impacts in the north-central part of Texas should attempt to focus on contiguous properties to gain the best results for targeted ecosystem. The Native Prairie Association of Texas, the Nature Conservancy of Texas and the Great Plains Restoration Council are examples of non-profit organizations with interest in native grassland habitats of North Central Texas and should be contacted for partnering in grassland restoration and mitigation.*

**TxDOT Response:** This is a dramatic change from the 2002 coordination with TPWD where TxDOT received 'no comment'. The project is basically the same as in 2002 with only a minor deviation on one end which impacts like vegetation to that of the 2002 document that was reviewed by TPWD. TxDOT is aware of the organizations that have interest in preserving natural areas within North Central Texas and has had communication with Great Plains Restoration Council (GPRC). In addition, GPRC is working to secure funding and support to purchase land in the Rock Creek watershed that exhibits better habitat characteristics than where this portion of SH 121 is going to be implemented. That property is north of this particular project and is owned by the General Land Office, with the exception of the portion that the northern SH 121 project crosses. TxDOT has considered mitigation for the remnant native grasslands, but mitigation was not determined to be feasible for this project due to the degraded condition of the remnants due to the fragmentations and long history of overgrazing in this area.

*TPWD Recommendation: Because the project contains considerable impacts to riparian areas, TPWD strongly recommends TxDOT provide mitigation for these impacts. TxDOT should provide details showing that the proposed Section 404 mitigation plan includes 39.7 acres of riparian habitat mitigation. If the Section 404 permitting falls short of 39.7 acres riparian habitat, then TxDOT should reconsider and provide non-regulatory compensatory mitigation under the MOU on an acre-to-acre basis for impact to riparian habitats that would not be provided mitigation under Section 404 permitting.*

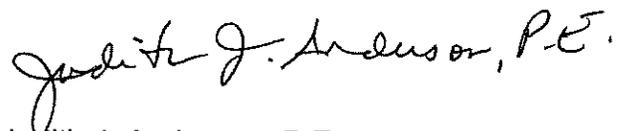
**TxDOT Response:** Section 404 coordination with the United States Army Corps of Engineers (USACE) has not occurred yet. TxDOT will ensure all applicable guidelines are followed with regards to Section 404 permitting activities. The decision of type of mitigation and amount will be as determined through the Section 404 permitting process. TxDOT will ensure the mitigation requirements established through the Section 404 permitting are implemented. TxDOT has considered mitigation for the 39.7 acres of riparian habitat, but it would not be feasible to offer non-regulatory compensation for this project due to the heavily overgrazing of the area and the quality

Page 3  
Karen B. Hardin  
November 9, 2010

of the riparian habitat.

TxDOT appreciates your interest in highway matters. If you have questions or comments regarding this subject, please contact me at (817) 370-6710.

Sincerely,

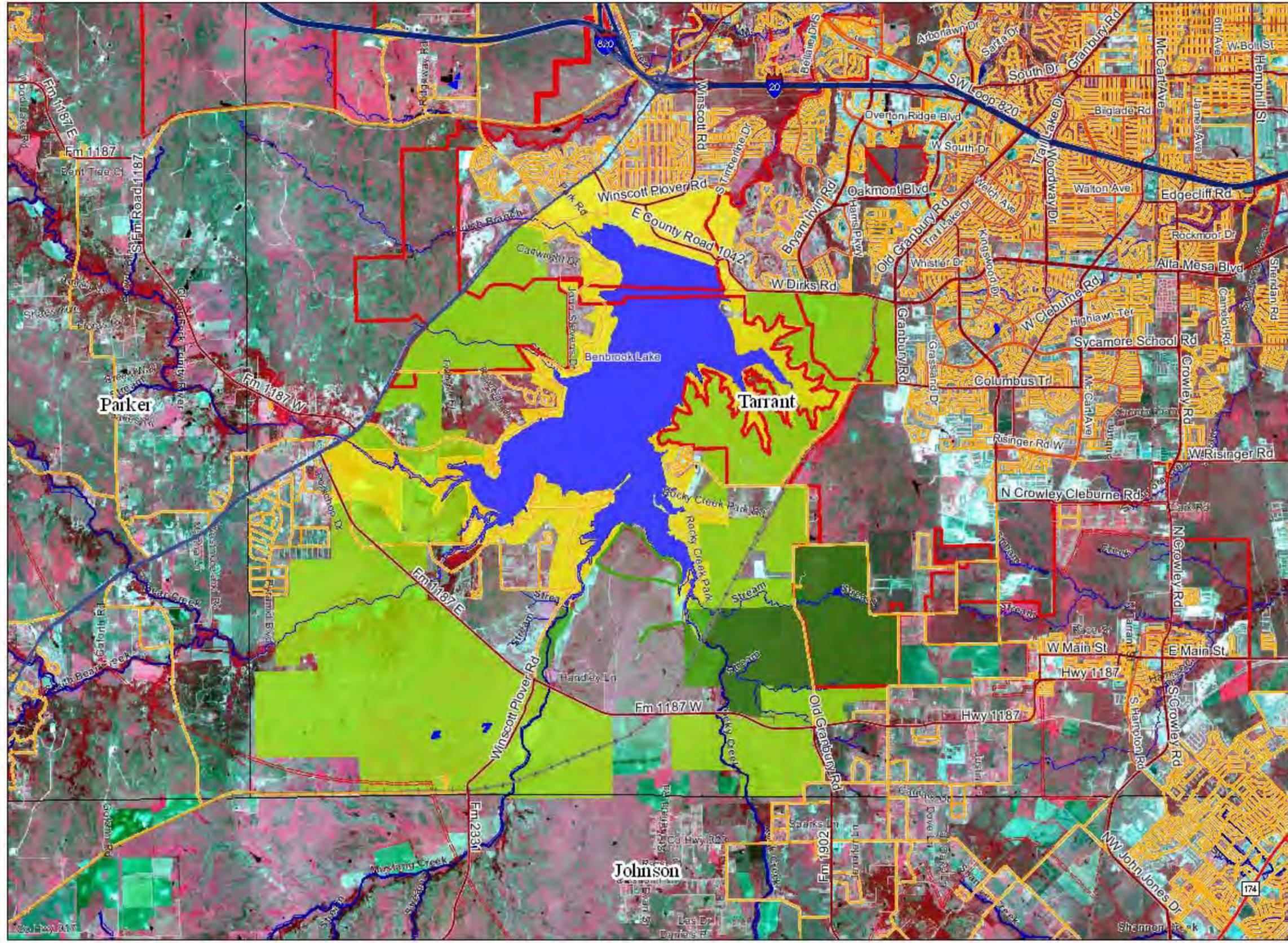
A handwritten signature in black ink that reads "Judith J. Anderson, P.E.". The signature is written in a cursive style with a large initial "J".

Judith J. Anderson, P.E.  
Programs Administration Engineer

cc: Andrew Blair, TxDOT ENV Division

# Fort Worth Prairie Park and Area Conservation Potential

## Great Plains Restoration Council

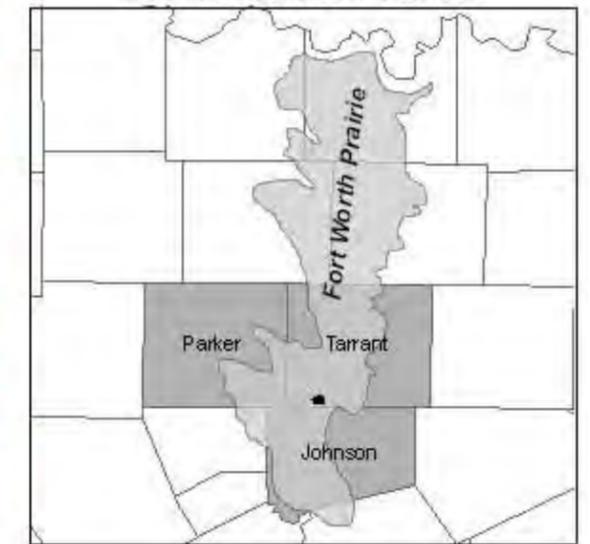


### Legend

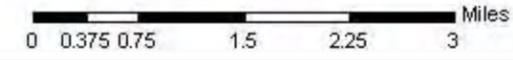
- Interstate
- Interstate Highways and Major US Highways
- US Highway and Other Highways
- State Highways
- Other State Highways
- Major Local Roads
- Local Roads
- Minor Local Roads
- Other Local Roads
- Railroads
- Railroads
- Fort Worth City Limit
- Fort Worth ETJ
- County Boundaries
- Fort Worth Prairie Park
- Private Conservation Area
- Potential Conservation Area
- US Army Corp of Engineers Jurisdiction
- Water Areas Class 4
- Water Areas Class 3
- Water Areas Class 2
- Water Areas Class 1
- T2K Hydrography
- T2K Water Bodies



### North Central Texas



Projection: UTM Zone 14 NAD83  
 Data Sources: USDANAP 2004 1M DOQQ; Tarrant County Appraisal District 2005 Parcel Database; Texas Parks and Wildlife / US EPA Ecoregions; US ACOE Boundary, TIGER2006 Hydrography, City of Fort Worth 2006 Transportation and Boundaries; and E. J. Dyksterhuis, 1946. Map boundaries are approximate.



[www.gprc.org](http://www.gprc.org)  
[www.fortworthprairiepark.org](http://www.fortworthprairiepark.org)