

ANTIQUITIES PERMIT APPLICATION FORM ARCHEOLOGY

GENERAL INFORMATION

I. PROPERTY TYPE AND LOCATION

Project Name (and/or Site Trinomial) Proposed Doris Road Bridge over U.S. 59 CSJ: 0089-09-083, 0089-09-058, 0089-09-065, 0089-09-066, 0089-09-067 County (ies) Fort Bend
 USGS Quadrangle Name and Number Kendleton (2995-233)
 UTM Coordinates NAD 83 Zone 15R E 212517.15 N 3263305.97
 Location Doris Road at U.S. 59 near Beasley, Texas
 Federal Involvement Yes No
 Name of Federal Agency Federal Highway Administration (FHWA)
 Agency Representative Owen Lindauer, PhD, RPA owen.lindauer@dot.gov

II. OWNER (OR CONTROLLING AGENCY)

Owner Fort Bend County
 Representative Robert Hebert, County Judge
 Address 301 Jackson St.
 City/State/Zip Richmond, TX 77469
 Telephone (include area code) 281-341-8608 Email Address ann.werlein@fortbendcountytexas.gov

III. PROJECT SPONSOR (IF DIFFERENT FROM OWNER)

Sponsor TXDOT
 Representative Scott Pletka
 Address 125 E. 11th Street
 City/State/Zip Austin, TX 78701-2483
 Telephone (include area code) (512) 416-2749 Email Address scott.pletka@txdot.gov

PROJECT INFORMATION

I. PRINCIPAL INVESTIGATOR (ARCHEOLOGIST)

Name Steve A. Tomka
 Affiliation Raba Kistner Environmental, Inc.
 Address 12824 W. Golden Lane
 City/State/Zip San Antonio, TX 78249
 Telephone (include area code) (210) 699-9090 Email Address stomka@rkci.com

ANTIQUITIES PERMIT APPLICATION FORM (CONTINUED)

II. PROJECT DESCRIPTION

Proposed Starting Date of Fieldwork February 8, 2016

Requested Permit Duration 3 Years Months (1 year minimum)

Scope of Work (Provided an Outline of Proposed Work) The proposed cultural resource investigation will consist of an intensive pedestrian survey, coupled with shovel testing and mechanical backhoe trenching. Newly identified sites will be shovel tested in order to identify site boundaries. If soils exceed three (3) feet in depth, backhoe trenching will be used to assess site boundaries and depths of cultural deposits. Cultural materials will be collected from shovel test units. For more information, please see the attached scope of work.

III. CURATION & REPORT

Temporary Curatorial or Laboratory Facility Raba Kistner Environmental, Inc.

Permanent Curatorial Facility Texas Archeological Research Laboratory

IV. LAND OWNER'S CERTIFICATION

I, _____, as legal representative of the Land Owner, _____, do certify that I have reviewed the plans and research design, and that no investigations will be performed prior to the issuance of a permit by the Texas Historical Commission. Furthermore, I understand that the Owner, Sponsor, and Principal Investigator are responsible for completing the terms of the permit.

Signature _____ Date _____

V. SPONSOR'S CERTIFICATION

I, _____, as legal representative of the Sponsor, Scott Pletka, do certify that I have review the plans and research design, and that no investigations will be performed prior to the issuance of a permit by the Texas Historical Commission. Furthermore, I understand that the Sponsor, Owner, and Principal Investigator are responsible for completing the terms of this permit.

Signature _____ Date _____

VI. INVESTIGATOR'S CERTIFICATION

I, Steve A. Tomka, as Principal Investigator employed by Raba Kistner Environmental, Inc. (Investigative Firm), do certify that I will execute this project according to the submitted plans and research design, and will not conduct any work prior to the issuance of a permit by the Texas Historical Commission. Furthermore, I understand that the Principal Investigator (and the Investigative Firm), as well as the Owner and Sponsor, are responsible for completing the terms of this permit.

Handwritten signature of Steve A. Tomka

Signature _____ Date _____

Principal Investigator must attach a research design, a copy of the USGS quadrangle showing project boundaries, and any additional pertinent information. Curriculum vita must be on file with the Archeology Division.

FOR OFFICIAL USE ONLY

Reviewer _____ Date Permit Issues _____
Permit Number _____ Permit Expiration Date _____
Type of Permit _____ Date Received for Data Entry _____

**Scope of Work for the Archaeological Investigation for the Proposed Doris Road Bridge over
US 59, Southwest of the City of Rosenberg, Fort Bend County, Texas**

CSJ: 0089-09-083

Project Background

Raba Kistner Environmental, Inc. (RKEI) has been contracted by Berg-Oliver Associates, Inc. to conduct an archaeological investigation of the proposed Doris Road Bridge. The project area, or Area of Potential Effect (APE), encompasses US 59 and its access lanes near Doris Road, south of Beasley, Texas (**Figure 1**). The location falls on the Kendleton 7.5-minute Quadrangle Map (**Figure 2**). The project limits for the proposed Doris Road Bridge are approximately 0.07 miles north of the Doris Road and Gin Road intersection on Doris Road to approximately 0.2 miles south of the US 59 Frontage Road, at private property and Turkey Creek; and south of the KCS intermodal facility at Doris Road. The proposed project consists of constructing a overpass at the Kansas City Southern Railroad intermodal yard to connect to the US 59 frontage road. The overpass and associated road connection will help to provide safe access to the railroad yard and assist with alleviating the traffic congestion at the intersection. The APE consists of approximately 20.23 acres of current Right of Way (ROW) and proposed new ROW. RKEI is proposing to conduct an archaeological survey within the southern portion of the project area; an area that is approximately 10.38 acres located south of US 59. The 10.38 acres is composed of 1.8 acres of current ROW and 8.58 acres of proposed new ROW.

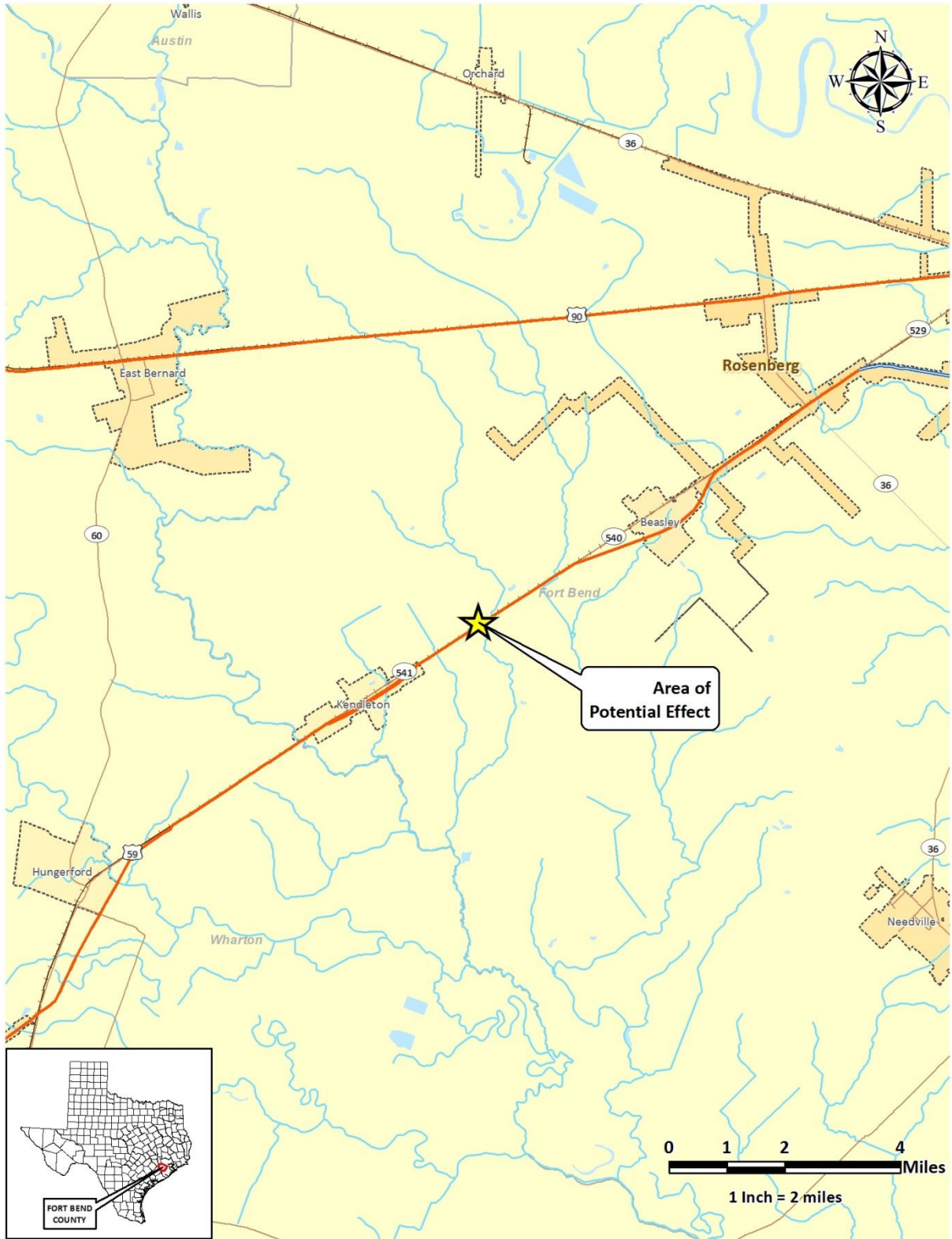


Figure 1. Location of the project area in Fort Bend County, Texas.

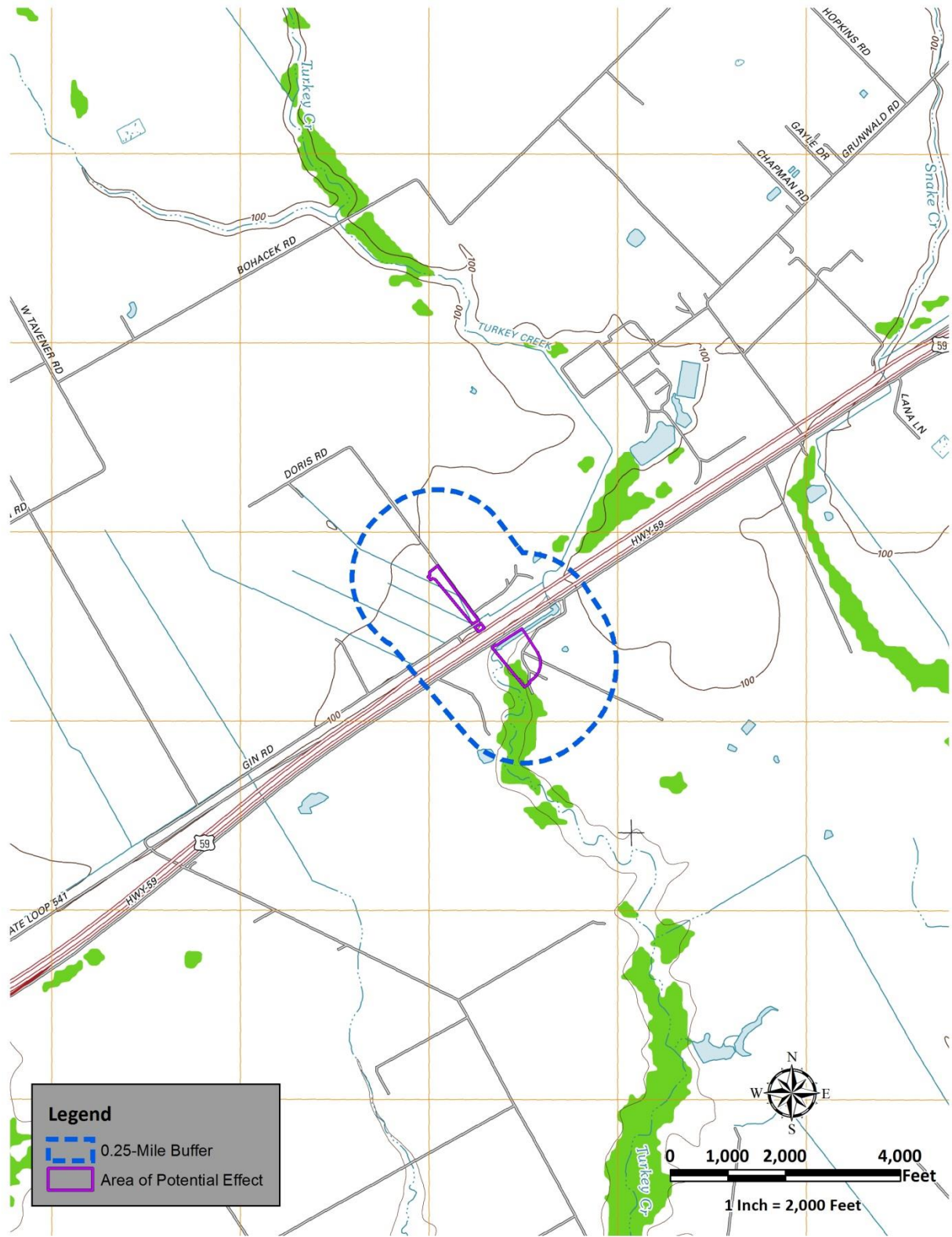


Figure 2. The location of the APE on the Kendleton 7.5-minute Quadrangle Map.

Current Conditions

The project area is situated in a rural area along the US 59 corridor. The APE is bounded by the Kansas City Southern Railway Company (KCS) intermodal ramp facility to the west, Turkey Creek to the south and east, and agricultural fields. Doris Road is primarily gravel and connects to 541 Spur via Gin Road. Railroad tracks and the intermodal facility cross portions of Gin Road and the southern portion of Doris Road. The southern portion of the APE crosses the US 59 Frontage Road and Turkey Creek. In this location, Turkey Creek has been channelized in order to funnel water under US 59, 541 Spur, and the KCS railroad tracks. There are two main drainage features which channel water away from the highway into Turkey Creek. The creek channel has cut through deep soil deposits in this area. A brief description of the structures encountered along the APE is as follows: approximately 0.25-miles to the northeast of the APE are three houses associated with the “La Esperanza” complex; to the west of Doris Road, in the same vicinity as “La Esperanza”, is a small fenced lot with a cement pad and overgrown with trees, brush, and large prickly pear cacti stands; approximately 0.25 miles due east of Doris Road, close to the Doris Road and Gin Road intersection, stands a masonry silo; and approximately 0.1 miles south of the proposed project area is a single family home.

The northern portion of the project area, located on the north side of US 59, has been heavily impacted by the railyard and the current Doris Road. South of US 59 the project area is mostly undeveloped agricultural land. Turkey Creek runs through a portion of the APE. Due to the impacts in the northern section, RKEI finds that a pedestrian survey of the approximate 4.5 acres along Doris Road is not warranted. Focus should remain on the agricultural lands that will be affected by the construction of the access road connection.

Current ROW

The proposed Doris Road Bridge will affect 5.3 acres of current TxDOT right-of-way (ROW). The current ROW is situated alongside US 59 approximately 0.07 miles north of the Doris Road and Gin Road intersection on Doris Road to approximately 0.2 miles south of the US 59 Frontage Road, at private property and Turkey Creek, and south of the KCS intermodal facility at Doris Road. The ROW averages between 65 to 350 feet in width. Of the 5.3 acres, 1.8 acres located south of US 59. The 1.8 acres is owned by the State of Texas (Parcel 365577) (**Figure 3**), and is part of a 3.307 acre tract of land.

investigations started as metal detector surveys designed to identify Mexican Army camps dating to the Texas Revolution. Subsequent excavations focused solely on historic artifacts, rather than prehistoric sites and deposits (Dimmick 2015, personal communication; THC 2016).

The vicinity of the proposed project area has been the site of key events which shaped the history of Texas. Although the review of the Texas Archeological Site Atlas shows that there are no previously recorded sites within the APE, subsequent archeological investigations by the Houston Archeological Society and Fort Bend Archeological Society have identified a homestead (41FB269) that formerly belonged to a family associated with Stephen F. Austin's colony and a camp associated with the Battle of San Jacinto (41FB278) in the vicinity of the APE. The Elizabeth Powell Site (41FB269) provides insight into the daily lives of the early settlers of Fort Bend County and the military decisions made by an advancing and retreating army. Aerial photos further show that there has been little impact to the APE since the 1940s, with the exception of highway and railroad construction.

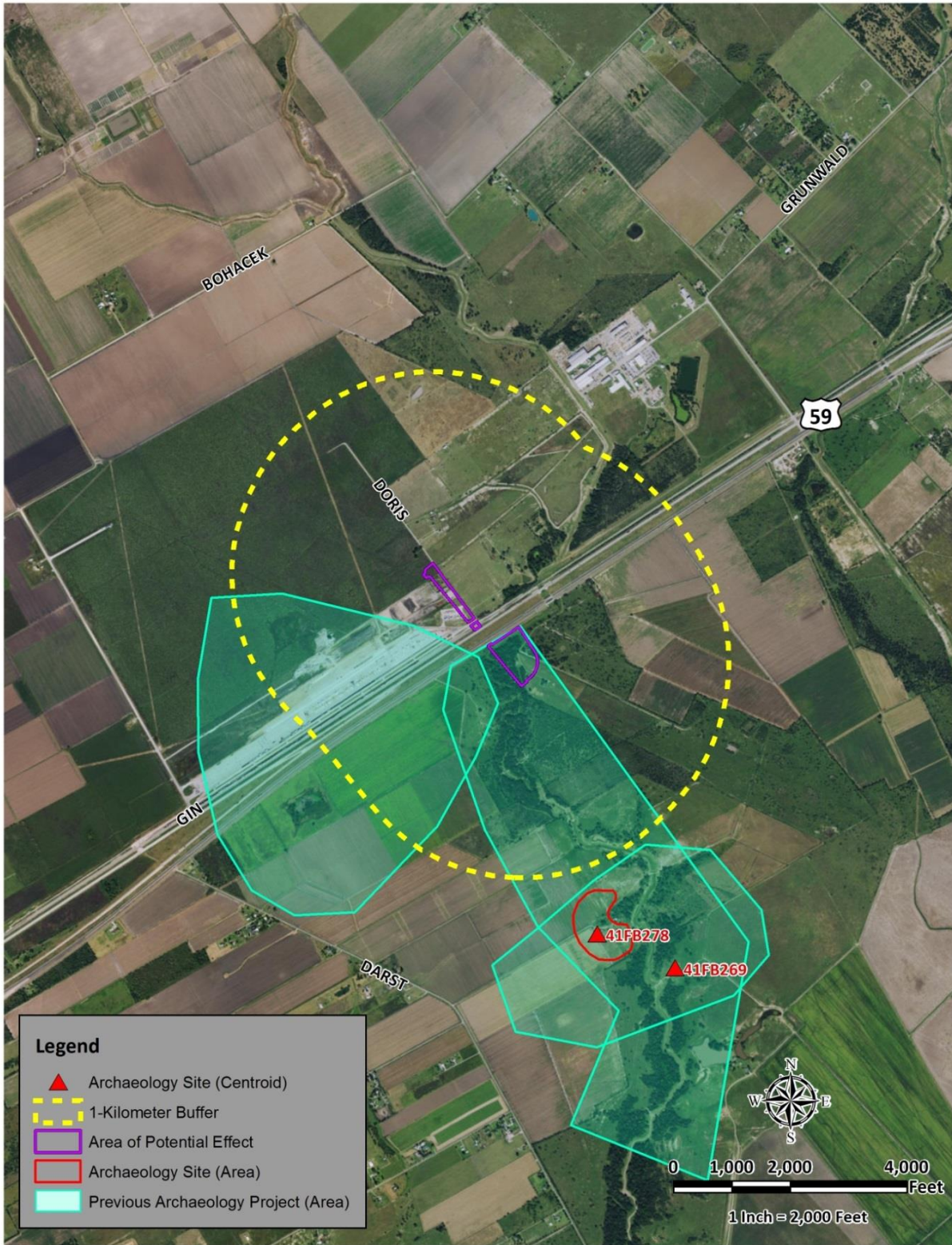


Figure 4. Location of previously recorded archaeological sites and investigations in vicinity of the APE.

The surveys conducted by the Archeological Societies covered a large portion of land associated with the KCS intermodal facility and south of US 59, but the survey methodology did not target prehistoric resources or non-metallic artifacts that would have been associated with prehistoric camp sites and components. Therefore, it is currently not known whether the historic compound would have held a family cemetery. It is also not known if prehistoric cultural deposits are present within this portion of the APE, considered to have a high probability of retaining prehistoric cultural deposits.

Although the two sites mentioned below are approximately 1 mile south of the APE, they are important components of the history of Fort Bend County and Texas. The Elizabeth Powell Site (41FB269) is located along the eastern bank of Turkey Creek. Mrs. Powell arrived on a land grant as a colonist with Stephen F. Austin. Since her property was located along trails running between Brazoria and Columbia and San Felipe to San Antonio, Mrs. Powell often hosted travelers (Dimmick 2004:102; Shelby 2010).

The Mexican Army camped on Ms. Powell's property twice. First, Santa Anna and his company stayed in the vicinity on April 10, 1836. General José de Urrea and his units camped again at Mrs. Powell's on April 20th. By April 24th of the same year, several thousand people associated with the Mexican Army were staying in the area while decisions were made regarding the Mexican Army's retreat (Dimmick 2004:96). As these units retreated from Fort Bend County, they plundered and burned the properties they encountered, including Mrs. Powell's (Dimmick 2004:102; Shelby 2010). Mrs. Powell and her children did rebuild on the property.

Gregg Dimmick, along with members of the Houston Archeological Society conducted several metal detector surveys looking for Mrs. Powell's house and Mexican camps starting in 1999. From 1999 to 2006, archeological investigations were conducted at two locations along Turkey Creek. European ceramics, notions, metal hardware, and munitions identified the Powell household along the eastern bank of Turkey Creek (Aucoin et al. 2007; Aucoin et al. 2014). Excavations along the western bank of the creek located buttons and metal insignia associated with Mexican Army uniforms, munitions, and metal fragments of muskets (Dimmick 2004-106-109). These artifacts indicated that this spot was used as a camp and has been named the Kulcak Site (41FB278) (THC 2016).

In 1936, the Texas Centennial Commission placed a historic marker near her property (Marker No. 9056). Unfortunately, the records associated with the marker were lost in a fire. The marker is located on private property.

Field and Laboratory Methods

Survey Methods

RKEI staff will perform an intensive pedestrian survey of 100% of the located south of US 59 (10.38 acre ROW). We propose to utilize a combination of surface reconnaissance, shovel testing to search for shallow archaeological deposits, and backhoe trenching for deeply buried (below 60 centimeters below the surface) deposits. Shovel testing will be carried out at predetermined intervals and/or in areas

judged to have high probabilities for cultural deposits, and/or when surface visibility is below 30 percent. All work will comply with THC and Council of Texas Archeologists (CTA) survey standards for Texas for the overall project area, unless documented field conditions warrant otherwise. Right of Entry will be obtained prior to commencement of the survey within private property.

Shovel Testing

Shovel tests will be excavated in areas where surface visibility is below 30 percent. The rate of shovel tests to be excavated is determined by the length and width of the project corridor. Shovel tests will be excavated at a rate of one shovel tests per every two acres in areas that potentially have shallowly buried deposits per THC minimum survey standards. If a given shovel test is positive for cultural materials, additional units will be excavated within 15 meters in cardinal directions, until all shovel tests in the vicinity are negative. If the cultural deposits are judged to form an archaeological site (see site definition protocol below), the original shovel tests may be used as part of the site boundary definition stage of the investigation. As per the THC's minimum requirements, at least six (6) shovel tests will be excavated to define the boundaries of small sites while up to 10 to 12 may be required to adequately define the boundaries of large sites.

Shovel tests will be excavated to a depth of 60 cm below surface. They will range from 32 to 35 cm in maximum diameter and will be excavated in 10 cm levels. All soils will be screened through a ¼-inch mesh to observe artifacts. A shovel test form will be filled out for each excavated unit. The form will contain information on the soils encountered, the artifacts recovered, disturbances noted and references to samples retained and photographs taken. Artifacts derived from each level of each shovel test will be noted on appropriate level forms and will be reburied at the completion of each shovel test.

Backhoe Trenching

Backhoe trenches (BHTs) will be excavated in locations identified as containing deeply buried deposits. The number of BHTs will be determined by the Project Archaeologist based on the presence of deep undisturbed soils within the APE.

Backhoe trenches will be excavated to a maximum depth of 1.5 meters below the surface. The documentation will consist of the clearing of a representative segment of each trench wall for careful scrutiny. The cleared wall will be photographed with a scale, and a detailed profile drawing will be made of the soil strata. All artifacts noted in the representative trench wall segment will be shown on the profile. No cultural material will be collected from the backhoe trenches. Diagnostics will be photographed in the field.

Site Definition Protocol

For the purposes of this project, an archaeological site is defined as meeting the following minimal criteria:

- 1) Three or more artifacts within a shovel test;

- 2) Two or more positive shovel tests within 30 meters of each other;
- 3) Three or more artifacts on a land surface found within 30 meters of each other;
- 4) One or more features exposed on surface; and
- 5) A backhoe trench with five or more artifacts identified in the trench profile.

Collection

A no-collection policy is advocated on this project. All diagnostics will be photo-documented with a scale in the field, their vertical provenience will be noted, and they will be returned into the shovel test or backhoe trench. All non-diagnostic artifacts will be mapped in situ and left in place.

Curation

All project related documentation produced during the survey will be prepared in accordance with federal regulation 36 CFR Part 79, and THC requirements for State Held-in-Trust collections. Field notes, field forms, photographs, and field drawings will be placed into labeled archival folders and converted into electronic files. Digital photographs will be printed on acid-free paper, labeled with archivally appropriate materials, and will be placed in archival-quality plastic sleeves when needed. All field forms will be completed with pencil. Ink-jet produced maps and illustrations will be placed in archival quality plastic page protectors to prevent against accidental smearing due to moisture. A copy of the report and all digital materials will be saved onto a CD and stored with field notes and documents. All project related documentation will be temporarily housed at **RKEI Archaeology Laboratory** and will be permanently curated at the Texas Archeological Research Laboratory at University of Texas at Austin.

Temporary Curatorial or Laboratory Facility: **Raba Kistner Environmental, Inc.** Archeology Lab, 12821 W. Golden Lane, San Antonio, TX 78249

Permanent Curatorial Facility: TARL, Texas Archeological Research Laboratory, University of Texas at Austin, Mailcode R7500, Austin, Texas 78712.

Additional Considerations

Should human remains be encountered during any portion of this project, RKEI archaeologists will immediately stop work in that area and will notify the CLIENT, the TXDOT, and the THC. RKEI archaeologists will follow all State legal procedures including the current statutes of the Health and Safety Code in dealing with the remains.

Reporting Requirements

Following the analysis of the materials recovered and the data compiled during the field investigations, the Project Archaeologist will produce a technical report detailing the results of the survey. The report will provide a discussion of the methods and results of the field investigation. This discussion will include a list of sites identified, their eligibility for listing on the National Register or for formal designation as State Antiquities Landmarks (SALs), and the appropriate criteria under which the sites were evaluated. Site forms will be submitted to the Texas Archeological Research Laboratory (TARL) and trinomials will be obtained. The report will also include recommendations for further work or no further work with appropriate justifications based on the requirements of 13 TAC 26.5(35), 13 TAC 26.20(1), and 13 TAC 26.20(2).

RKEI will produce a draft report of the findings. The archaeological draft report will be submitted to the CLIENT for review. Upon approval from the CLIENT, RKEI will submit the draft report to TXDOT to present to the THC for their 30-day review. The draft report will describe any identified archaeological sites, make recommendations on the handling of identified cultural resources, and determine the potential eligibility of any sites for designation as SALs or for nomination to the NRHP if possible. Newly documented sites will be assessed as either: not eligible, potentially eligible, or eligible for designation as SALs or for listing on the NRHP if adequate information is gathered during the survey.

The draft report will include recommendations regarding whether the proposed project may proceed as planned or additional investigations will be necessary to ensure compliance with state regulations for project clearance. Once the TXDOT and THC have reviewed the draft report, RKEI will make revisions, if any, and submit the Abstract Form, a hard copy of the final report, and a tagged .pdf copy of the report saved on a CD to the CLIENT, TXDOT, and the THC.

References

Dimmick, G.J.

2004 *Sea of Mud: the Retreat of the Mexican Army after San Jacinto, an Archeological Investigation*. Texas State Historical Association, Austin, Texas.

Shelby, R.T

2007 Historical Summary and Biographical Information. In *The Elizabeth Powell Site (41FB269), Fort Bend County, Texas*. Report No. 25, Part 1, Houston Archeological Society, Houston, Texas.

2010 POWELL, ELIZABETH. *Handbook of Texas Online*, <http://www.tshaonline.org/handbook/online/articles/fpo72>, accessed November, 2015.

Texas Historical Commission

2016 *Texas Archeological Site Atlas*, <http://nueces.thc.state.tx.us/>, accessed January, 2016.