



ASSESSMENT OF ACTIONS HAVING AN EFFECT ON HISTORIC PROPERTIES

A. DESCRIPTION OF UNDERTAKING

1. **Park:** National Park Service

2. **Project Description:**

Project Name: Bollard and Cable Fencing Removal/Repair/Installation

Prepared by: Mark VanMouwerik **Date Prepared:** 05/21/2019 **Telephone:** 970-225-3507

PEPC Project Number: 88374

Locations:

County, State: Nueces, TX

Describe project:

Bollards are wooden posts that are 4-8" in diameter (or width) and are driven approximately 20-40 inches into the ground. Bollards installed to protect pedestrian areas will be approximately 4-6 ft apart; bollards installed along roads will be approximately 20-25 ft apart. The cable hung between the bollards is $\frac{1}{2}$ to $\frac{3}{4}$ inch thick and made of galvanized wire. Installation of this fencing will keep cars out of visitor beach areas and out of adjacent habitat.

Construction activities would involve removal and replacement of deteriorated bollards and cable or, in two cases, the installation of new bollards and cable where there currently are none. Seven bollard and cable projects are planned in Mustang Island State Park totaling approximately 21,056 linear feet (3.9 miles) of fencing, including approximately 733 to 1,365 bollards installed. All construction, regardless of whether the fence is new or being repaired/replaced, will be in areas that are already impacted - i.e., where a fence currently exists or along or across an existing road prism. A construction zone would be established around the worksite for regulating public access. Construction equipment may potentially include hand tools such as hand shovels, a backhoe, skid steer, auger, concrete truck, mid-size delivery trucks, and generators. Materials would be transported to the worksite by truck or medium-sized vehicle. Nearby visitor parking lots would serve as staging areas for equipment and materials.

Area of potential effects (as defined in 36 CFR 800.16[d])

The APE for this project is relatively small. The attached map show APEs for all 15 projects, including this one. None of the four recorded archeological sites at MISP overlap with any of the APEs.

3. **Has the area of potential effects been surveyed to identify historic properties?**

☐ **No**

☒ **Yes**

Source or reference: Between 1964 and 2008 there were 12 surveys covering 1,573 acres (40%) of the park.

4. **Potentially Affected Resource(s):**

Archeological Resources Affected: No

Historical Structures/Resources Affected: No

Cultural Landscapes Affected: No

Ethnographic Resources Affected: No

5. The proposed action will: (check as many as apply)

☐ No Destroy, remove, or alter features/elements from a historic structure

☐ No Replace historic features/elements in kind

☐ No Add non-historic features/elements to a historic structure

☐ No Alter or remove features/elements of a historic setting or environment (inc. terrain)

☐ No Add non-historic features/elements (inc. visual, audible, or atmospheric) to a historic setting or cultural landscape

☐ No Disturb, destroy, or make archeological resources inaccessible

☐ No Disturb, destroy, or make ethnographic resources inaccessible

☐ No Potentially affect presently unidentified cultural resources

☐ No Begin or contribute to deterioration of historic features, terrain, setting, landscape elements, or archeological or ethnographic resources

☐ No Involve a real property transaction (exchange, sale, or lease of land or structures)

☐ Other (please specify): _____

6. Supporting Study Data:

(Attach if feasible; if action is in a plan, EA or EIS, give name and project or page number.)

See the 10 files under project 88130 - Restroom and Parking Improvements at Fish Pass.

B. REVIEWS BY CULTURAL RESOURCE SPECIALISTS

The park 106 coordinator requested review by the park's cultural resource specialist/advisors as indicated by check-off boxes or as follows:

No Reviews From: Curator, Archeologist, Historical Architect, Historian, 106 Advisor, Other Advisor, Anthropologist, Historical Landscape Architect

C. PARK SECTION 106 COORDINATOR'S REVIEW AND RECOMMENDATIONS

1. Assessment of Effect:

☐ No Potential to Cause Effects

☐ No Historic Properties Affected

☒ No Adverse Effect

☐ Adverse Effect

2. Documentation Method:

[X] A. Standard 36 CFR Part 800 Consultation

Further consultation under 36 CFR Part 800 is needed.

[] B. Streamlined Review Under the 2008 Servicewide Programmatic Agreement (PA)

The above action meets all conditions for a streamlined review under section III of the 2008 Servicewide PA for Section 106 compliance.

Applicable Streamlined Review Criteria

(Specify 1-16 of the list of streamlined review criteria.)

[] C. Undertaking Related to Park Specific or Another Agreement

The proposed undertaking is covered for Section 106 purposes under another document such as a park, region or statewide agreement established in accord with 36 CFR 800.7 or 36 CFR 800.14.

[] D. Combined NEPA/NHPA Process

Process and documentation required for the preparation of an EA/FONSI or an EIS/ROD to comply with Section 106 is in accord with 36 CFR 800.8.c.

[] E. Memo to Project File

3. Consultation Information

SHPO Required: Yes

SHPO Sent: Aug 10, 2018

SHPO Received: Sep 10, 2018

THPO Required: Yes

THPO Sent: May 3, 2019

THPO Received:

SHPO/THPO Notes: All five THPO compliance officers were called by telephone to discuss the consultation info. See the attached 6/7/19 Memo to File document for details.

Advisory Council Participating: No

Advisory Council Notes:

Additional Consulting Parties: No

4. Stipulations and Conditions: Following are listed any stipulations or conditions necessary to ensure that the assessment of effect above is consistent with 36 CFR Part 800 criteria of effect or to avoid or reduce potential adverse effects.

From the SHPO: 1) Above-Ground Resources: No historic properties are present or affected by the project as proposed. However, if historic properties are discovered or unanticipated effects on historic properties are found, work should cease in the immediate area; work can continue where no historic properties are present. Please contact the THC's History Programs Division at 512-463-5853 to consult on further actions that may be necessary to protect historic properties. 2) Archeology Comments: No historic properties present or affected. However, if buried cultural materials are encountered during construction or disturbance activities, work should cease in the immediate area; work can continue where no cultural materials are present. Please contact the THC's Archeology Division at 512-463-6096 to consult on further actions that may be necessary to protect the cultural remains.

5. Mitigations/Treatment Measures: Measures to prevent or minimize loss or impairment of historic/prehistoric properties: (Remember that setting, location, and use may be relevant.)

No Assessment of Effect mitigations identified.

6. Assessment of Effect Notes:

Not only were no NHPA resources found in any of the project areas or APEs, these projects - - esp. the bollard-and-cable fencing projects - - will have the net effect of minimizing or preventing impacts by off-road vehicles to the four recorded archeological sites.

D. RECOMMENDED BY PARK SECTION 106 COORDINATOR:

Compliance Specialist:

NHPA Specialist

Shelley Todd

Shelley TB Todd

Date: 7 June 2019

E. SUPERINTENDENT'S APPROVAL

The proposed work conforms to the NPS *Management Policies* and *Cultural Resource Management Guideline*, and I have reviewed and approve the recommendations, stipulations, or conditions noted in Section C of this form.

Signature

Superintendent:

Mark E. Spier

Date: 6/7/2019