

**TEXAS HISTORICAL COMMISSION**  
*real places telling real stories*

240534

April 20, 2016

Cynthia T. Brown  
Chief, Section of Administration  
Surface Transportation Board  
395 E Street SW, Room #100  
Washington, DC 20423-0001

**ENTERED**  
**Office of Proceedings**  
**April 21, 2016**  
**Part of**  
**Public Record**

Re: *Project Review under Section 106 of the National Historic Preservation Act, Proposed Abandonment of the U.S. Steel Industrial Lead from Milepost 2.4 near Baytown to Milepost 4.63 near Cedar Bayou, Harris and Chambers Counties, Texas, STB Docket No. AB-33, Sub No. 324X (STB/106, THC #201606144)*

Ms. Brown:

On April 5, 2016, we received correspondence from the Union Pacific Railroad Company (UP) that UP expects to file a Petition of Exemption with the Surface Transportation Board (STB) seeking authorization to abandon the above-referenced portion of the U.S. Steel Industrial Lead in Harris and Chambers Counties, Texas. Authorization by the STB would constitute a Federal undertaking subject to Section 106 of the National Historic Preservation Act and Section 4(f) of the Department of Transportation Act. This letter serves as comment on the proposed undertaking from the State Historic Preservation Officer, the Executive Director of the Texas Historical Commission (THC).

In January 2016, THC responded to a scoping request from UP that this segment of railroad contained a vertical-life span over Cedar Bayou. This lift span was originally constructed in 1912 over the St. Francis River at Cody, Lee County, Arkansas, and was moved to its present location in 1967. THC requested that STB evaluate, or require their applicant to evaluate, the eligibility of the bridge for listing in the National Register of Historic Places.

In their Combined Environmental and Historic Report, UP argues that because the vertical-lift span was installed over Cedar Bayou forty-nine (49) years ago, rather than fifty (50) years ago, there are no historic-age structures within the Area of Potential Effect and no additional assessment or National Register evaluation is warranted. THC strongly disagrees with this conclusion. Although location is one of the seven aspects of historic integrity, structures relocated from their original location may be eligible for listing in the National Register if they meet Criteria Consideration B and are significant primarily for their architectural or engineering value. The National Park Service's *National Register Bulletin No. 15*, provides the example that a "bridge relocated from one body of water to another" may be eligible.

At this time, THC considers the vertical-lift span to be a historic-age structure, but believes that sufficient information on the 104-year old vertical-lift span, its potential significance within relevant historic context, and its historic integrity, has not been gathered to make a determination of its eligibility for listing in the National Register. THC respectfully requests that STB, and any other Federal agencies involved in the proposed undertaking, determine if the bridge is eligible for listing in the National Register, and report the findings to THC for further consultation under Section 106 and Section 4(f).

We look forward to further consultation with your office and hope to maintain a partnership that will foster effective historic preservation. Thank you for your cooperation in this Federal review process, and for your efforts to preserve the



irreplaceable heritage of Texas. If you have any questions concerning our review, or if we can be of further assistance, please contact Justin Kockritz at [justin.kockritz@thc.state.tx.us](mailto:justin.kockritz@thc.state.tx.us) or 512-936-7403.

Sincerely,



Justin Kockritz, Historian, Federal Programs  
For: Mark Wolfe, State Historic Preservation Officer

cc: Victoria Rutson, Federal Preservation Officer, Surface Transportation Board *via e-mail*  
Najah Duvall-Gabriel, Advisory Council on Historic Preservation *via e-mail*  
Mack Shumate, Jr., Senior General Attorney, Union Pacific Railroad *via e-mail*  
Kitty Henderson, Executive Director, Historic Bridge Foundation *via e-mail*  
Sheryl Shaw, Chair, Chambers County Historical Commission *via e-mail*  
Janet Wagner, Chair, Harris County Historical Commission *via e-mail*