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Cultural Resources Survey for the 185-Acre Lakeline Park Phase I Improvements Project

Joey O'Keefe

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CULTURAL RESOURCES SURVEY FOR THE 185-ACRE LAKELINE PARK PHASE I IMPROVEMENTS PROJECT

Williamson County, Texas

Final Report
February 2020

Texas Historical Commission
TAC Permit #9076

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aci Project No.: 36-19-076

Abstract

From September to October of 2019, aci consulting conducted a cultural resources survey for the Lakeline Park Phase I Improvements project in Williamson County, Texas. The Area of Potential Effect (APE) for this project consisted of a 185-acre (74.87-hectare) area on City of Cedar Park-owned land located approximately 330 feet (100.58 meters) west of the intersection of US Highway 183 and Avery Ranch Boulevard. The pedestrian survey was conducted within the entire 185-acre project area, except for the approximately 28 acres previously surveyed in 2002 in the westernmost area of the APE. The survey did not include the Soil Conservation Service Site No. 6 Reservoir (the reservoir).

In total, 10 cultural resources were recorded as a result of the survey, and the previously recorded site 41WM1036 located within the APE was revisited. Newly recorded cultural resources identified include one historic-age stacked rock fence, one multi component site, three prehistoric-age sites, three prehistoric-age isolated finds, and two historic-age isolated finds. Based on the 2019 site revisit for 41WM1036, the entire site was destroyed during the construction of a raised berm and retention pond located southeast of an apartment complex adjacent to the APE.

Site 41WM1412 is a multicomponent artifact scatter consisting of approximately 20-30 hole-in-top cans, one shard of aqua glass, and one stage II-III chert biface fragment. Site 41WM1413 is a small, prehistoric-age lithic scatter consisting of two chert tertiary stage flakes. Site 41WM1414 is a small, prehistoric-age lithic scatter consisting of one chert secondary stage flake. Site 41WM1415 is a small, prehistoric-age lithic scatter consisting of one chert stage IV-V biface fragment, possibly a projectile point base. None of these newly recorded cultural resources were considered eligible for listing on the NRHP or SAL. As this was a non-collect survey, no artifacts were collected as part of this survey and therefore no artifact curation was required.

Site 41WM1416 is a partial nineteenth-century rock fence located within the APE that was constructed as early as the late 1840s, but no later than the 1870s. The rock fence is approximately 2,331 feet (710.5 meters) long, ranges between approximately 2 to 4 feet (0.61 to 1.22 meters) in height, and runs parallel to and north of the southern boundary of the 1839 Richard Duty Survey before turning north to intersect the Buttercup Creek drainage. The wall continues north on the north side of the creek and closely follows the east line of the Duty Survey. The southern portion of the wall also parallels a formerly

open cultivated field that extends north from the wall to Buttercup Creek. The northern portion of the wall lays adjacent to and east of formerly cultivated, cleared fields that lay north of Buttercup Creek and south of a housing development.

In November of 2019, Martha Doty Freeman, Historian, was hired to assist aci personnel consulting in researching the history of the property on which 41WM1416 is located and assessing the NRHP eligibility of the site under Criteria A through D. Based on the results of Freeman's archival research, along with interviews of family members associated with previous landowners, the rock fence was determined to be eligible for listing on the NRHP under Criteria A though D.

However, approximately 1,050 feet (320 meters) of the stone fence extending north from the north bank of Buttercup Creek to the northern boundary of the APE has been severely disturbed, with some portions of the wall completely removed, or no longer visually recognizable. The remaining 1,280 feet (390 meters) located in the southern part of the APE extending south/southeast from the south bank of Buttercup Creek maintains the highest degree of structural integrity. Based on the varying degrees of structural integrity, aci recommends the southern portion of the stone fence be considered for listing on the NRHP under Criteria A though D, and a SAL under Criteria 2 and 4 within Subchapter D of the Antiquities Code of Texas. Although there are no current plans to remove or modify site 41WM1416 as a result of the Phase I Improvements Project, the site would be directly impacted by the increased amount of traffic within the area as a result of the project, and potential future project phases, consequently increasing the site's exposure to the general population. Included with this report is a commitment of avoidance letter for 41WM1416 signed by the City of Cedar Park.

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1.0 INTRODUCTION

From September to October of 2019, aci consulting conducted a cultural resources survey for the Lakeline Park Phase I Improvements project in Williamson County, Texas. The Area of Potential Effect (APE) for this project consisted of a 185-acre (74.87-hectare) area on City of Cedar Park-owned land located approximately 330 feet (100.58 meters) west of the intersection of US Highway 183 and Avery Ranch Boulevard. A total of two potentially jurisdictional waters of the U.S., Buttercup Creek and South Brushy Creek, are located within the proposed project area. The pedestrian survey was conducted within the entire 185-acre project area, except for the approximately 28 acres previously surveyed in 2002 in the westernmost area of the APE. The survey did not include Soil Conservation Service Site No. 6 (the reservoir). The Phase I improvements will include the creation of trails, public use pavilions, park guest amenities, and multi-use public open spaces and fields (**Figures 1, 2,** and **3**).

This survey was conducted in compliance with the Texas Administrative Code (13 TAC 26.20[2]) under TAC Permit No. 9076. The investigation consisted of an intensive pedestrian survey, shovel testing, site recording, assessment of sites for listing on the National Register of Historic Places (NRHP) or for designation as a State Antiquities Landmark (SAL), data analysis, and reporting in accordance with THC and Council of Texas Archaeologists (CTA) standards. Joey O'Keefe served as Principal Investigator.

A review of historic aerial imaging, as well as visual inspections of possible historic structures within a 330-foot (100-meter) buffer of the APE revealed that no historic structures would be indirectly impacted by the Lakeline Phase I project. The current residential and commercial structures within the 330-foot buffer were established between the mid-1970s to present, and do not currently qualify as historic structures (**Appendix A**). Although there is no federal involvement with the Lakeline Phase I project, the determination of no indirect impacts to historical structures outside of the APE would satisfy survey requirements under Section 106 of the National Historic Preservation Act of 1966, as amended.

In total, 10 cultural resources were recorded as a result of the survey, and previously recorded site 41WM1036 located within the APE was revisited. Newly recorded cultural resources identified include one historic-age stacked rock fence, one multi component site, three prehistoric-age sites, three prehistoric-age isolated finds, and two historic-age isolated finds. Based on the 2019 site revisit for 41WM1036, the entire site was

destroyed during the construction of a raised berm and retention pond located southeast of an apartment complex adjacent to the APE.

Site 41WM1412 is a multicomponent artifact scatter consisting of approximately 20-30 hole-in-top cans, one shard of aqua glass, and one stage II-III chert biface fragment. Site 41WM1413 is a small, prehistoric-age lithic scatter consisting of two chert tertiary stage flakes. Site 41WM1414 is a small, prehistoric-age lithic scatter consisting of one chert secondary stage flake. Site 41WM1415 is a small, prehistoric-age lithic scatter consisting of one chert stage IV-V biface fragment, possibly a projectile point base. None of these newly recorded cultural resources were considered eligible for listing on the NRHP.

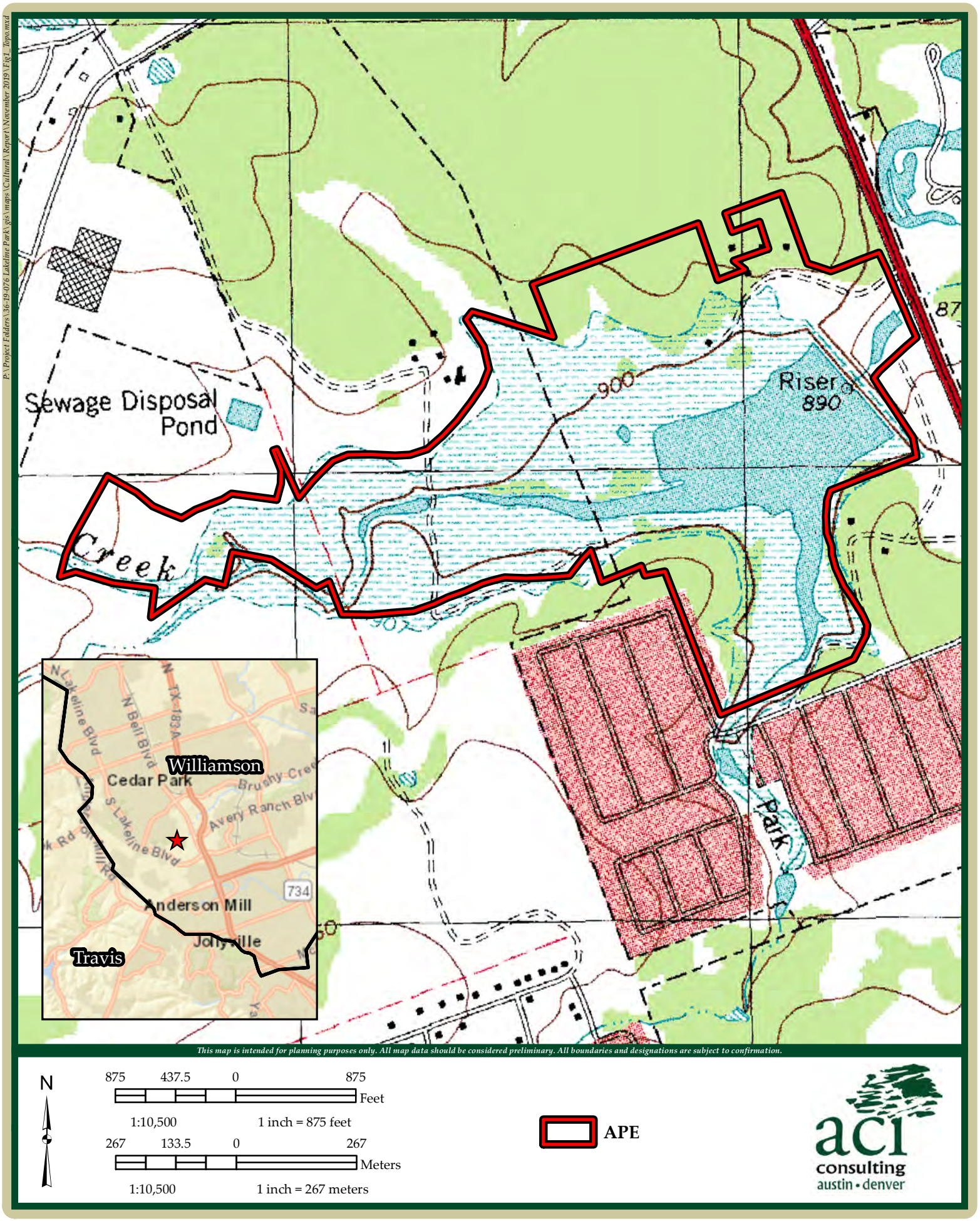
Site 41WM1416 is a partial nineteenth-century rock fence located within the APE that was constructed as early as the late 1840s, but no later than the 1870s. The rock fence is approximately 2,331 feet (710.5 meters) long, ranges between approximately 2 to 4 feet (0.61 to 1.22 meters) in height, and runs parallel to and north of the southern boundary of the 1839 Richard Duty Survey before turning north to intersect the Buttercup Creek drainage (**Figures 6** and **8**). The rock fence continues north on the north side of the creek and closely follows the east line of the Duty Survey. The southern portion of the wall also parallels a formerly open cultivated field that extends north from the wall to Buttercup Creek. The northern portion of the wall lays adjacent to and east of formerly cultivated, cleared fields that lay north of Buttercup Creek and south of a housing development (Freeman 2019) (**Appendix C**).

In November of 2019, Martha Doty Freeman, Historian, was hired to assist aci personnel consulting in researching the history of the property on which 41WM1416 is located and assessing the NRHP eligibility of the site under Criteria A through D. She began the process by reviewing the legal documentation compiled by Central Tejas Research that identified tracts of land on which 41WM1416 is located. These consisted of three tracts out of the Richard Duty Survey, Abstract 183, currently owned by the City of Cedar Park. According to Freeman (2019), the property was used to graze animals (milk cows, beef cattle, horses, and goats) and to grow crops used to feed the residents of the property and their animals. Because the rock fence was located on or near the southern- and eastern-most boundaries of previous land surveys in what appear to have been cultivated fields adjacent to the Buttercup Creek floodplain and in uplands north of the creek, it is assumed that the fence resulted from field clearing.

Based on the results of Freeman's archival research, along with interviews with family members associated with the previous landowners, the rock fence was determined to be eligible for listing on the NRHP under Criteria A though D, and a SAL under Criteria 2 and 4 within Subchapter D of the Antiquities Code of Texas (Natural Resources Code 2019) (see **Appendix C** for the complete NRHP assessment of 41WM1416).

However, approximately 1,050 feet (320 meters) of the stone fence extending north from the north bank of Buttercup Creek to the northern boundary of the APE has been severely disturbed, with some portions of the wall completely removed, or are no longer visually recognizable. The remaining 1,280 feet (390 meters) located in the southern part of the APE extending south/southeast from the south bank of Buttercup Creek maintains the highest degree of structural integrity. Based on the varying degrees of structural integrity, aci recommends the southern portion of the stone fence be considered for the NRHP under Criteria A though D, and a SAL. Although there are no current plans to remove or modify site 41WM1416 as a result of the Phase I Improvements project, the site would be directly impacted by the increased amount of traffic within the area as a result of the project, and potential future project phases, consequently increasing the site's exposure to the general population. Included with this report is a commitment of avoidance letter for 41WM1416 signed by the City of Cedar Park (**Appendix D**).

As a result of the investigation, aci consulting recommends that construction of the proposed Lakeline Phase I Improvements should be allowed to proceed without further examination for archeological resources within the 185-acre APE. It must be noted that no level of survey intensity can be guaranteed to locate all cultural features within the APE. Therefore, should previously unrecorded cultural resources; including human remains, be discovered during the course of construction for this project, the City of Cedar Park will contact a qualified professional archeologist to assess the findings.



Lakeline Park Phase I Improvements **aci Project No.: 36-19-076**

Figure 1. APE on *Jollyville* 7.5-Minute Topographic Quadrangle (USGS 1987) **February 2020**

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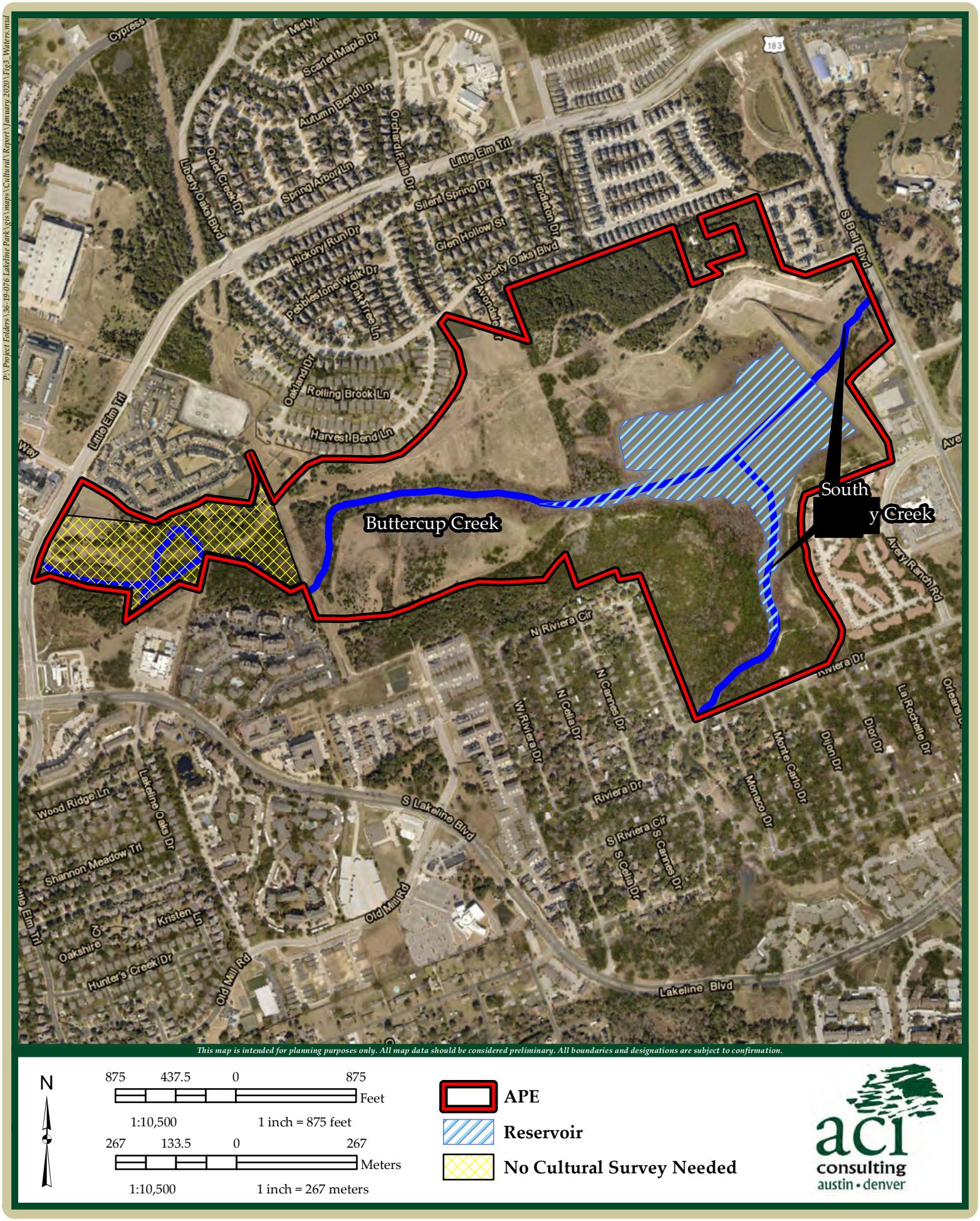
Figure 2. APE on Aerial Photograph Background **February 2020**



This map is intended for planning purposes only. All map data should be considered preliminary. All boundaries and designations are subject to confirmation.

Lakeline Park Phase I Improvements **aci Project No.: 36-19-076**

Figure 3. Waterways within the APE **February 2020**

2.0 ENVIRONMENTAL SETTING

2.1 Physiography

The proposed APE is located in south Cedar Park in Williamson County in central Texas in the Edwards Plateau region. This geologic region includes stream cut valleys deeply incised and characterized by springs, karstic sinks, caves, and rock shelters (Collins and Mear 1998). The Blackland Prairie lays to the east of the project area on the eastern side of the Balcones Escarpment, a fault zone with hills to the west and north and low relief to the east and south. The Blackland Prairie supports prairie vegetation along with small woods often found along low-gradient streams. The elevation of the APE ranges from 940 feet above mean sea level (MSL) at the northern boundary of the APE and generally slopes downwards to approximately 890 feet above MSL towards the reservoir and Buttercup Creek.

2.2 Geology and Soils

According to the United States Geological Survey (USGS 2019) the general surface geology of the APE is designated as Fredericksburg Group. This group is described by Barnes (1992) as: Edwards Limestone (60-350 feet thick), Comanche Peak Limestone (80 feet thick), Keys Valley Marl (50 feet thick), Cedar Park Limestone, Bee Cave Marl (25-40 feet thick), limestone nodular, aphanitic, marly, gray, yellow, white, pink; dolomite, find grained, gray; chert, in thin layers and nodules

Seven soil series are mapped within the APE (NRCS 2019) (**Figure 4**). The soils are mapped as Eckrant extremely stony clay, 0 to 3 percent slopes (*EeB*); Eckrant cobbly clay, 1 to 8 percent slopes (*EaD*); Eckrant-Rock outcrop association, 1 to 10 percent slopes (*ErE*); Denton silty clay, 1 to 3 percent slopes (*DnB*); Doss silty clay, moist, 1 to 5 percent slopes (*DoC*); Fairlie clay, 1 to 2 percent slopes (*FaB*); and Oakalla soils, 0 to 1 percent slopes, channeled, frequently flooded (*Oc*).

According to the Potential Archeological Liability Maps (PALM) model created by TxDOT ENV for highway projects in the Austin District (Abbott 2013), Eckrant, Fairlie, and Doss soils have been previously determined to have a low probability to contain archeological sites; Denton soils have low-moderate probability; and Oakalla soils have a very high probability. The Oakalla soil series is mapped along Buttercup Creek.

Descriptions of the soil series present within the APE are as follows (NRCS 2019):

- *Eckrant extremely stony clay, 0 to 3 percent slopes (EeB); Eckrant cobbly clay, 1 to 8 percent slopes (EaD); Eckrant-Rock outcrop association, 1 to 10 percent slopes (ErE)* - The Eckrant series consists of well drained, moderately slowly permeable soils that are very shallow to shallow over indurated limestone bedrock. These nearly level to very steep soils formed in residuum derived from limestone and occur on summits, shoulders, and backslopes of ridges on dissected plateaus. The rock outcrop is described as a visible exposure of bedrock or ancient superficial deposits on the surface.

- *Denton silty clay, 1 to 3 percent slopes (DnB)* – The Denton series consist of deep, well drained, slowly permeable soils that formed in clayey materials over residuum weathered from limestone bedrock of lower Cretaceous age. These nearly level or gently sloping soils are on backslopes and footslopes of ridges.

- *Doss silty clay, moist, 1 to 5 percent slopes (DoC)* – The Doss series consists of shallow to weakly cemented limestone, well drained, moderately slow permeable soils that formed in calcareous loamy and clayey residuum derived from marls and limestone. These very gently to moderately sloping soils occur on hill slopes on dissected plateaus.
- *Fairlie clay, 1 to 2 percent slopes (FaB)* – The Fairlie series consists of deep, moderately well drained, very slowly permeable soils. These soils are on nearly level to gently sloping uplands.

- *Oakalla soils, 0 to 1 percent slopes, channeled, frequently flooded (Oc)* – The Oakalla series consists of soils that are very deep. These well drained soils formed in loamy alluvium derived from limestone of Cretaceous age. These soils are on nearly level to gently sloping on flood plains on perennial streams in river valleys. They are subject to flooding by overflow from streams for short periods after heavy rains.

According to the Austin District Hybrid Potential Archeological Liability Map (HPALM), the APE has areas mapped ranging as low potential for cultural resources to areas with high potential (**Figure 5**) (Abbott and Pletka 2015). The high potential areas follow Buttercup Creek and comprise approximately 24.15 acres of the 185-acre APE,

where approximately 14.14 acres of the high potential areas have been previously surveyed (see Section 5.0 *Methods*).

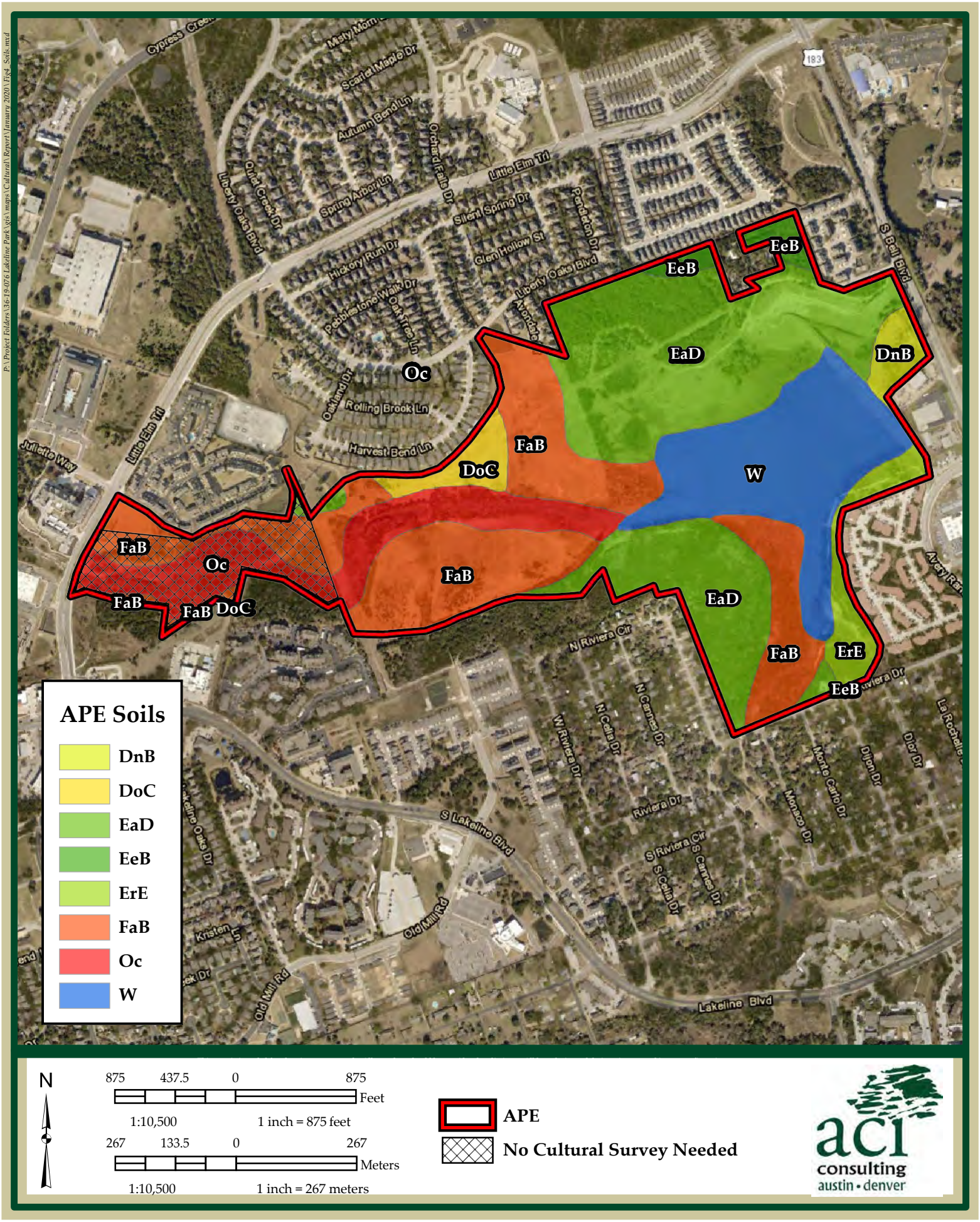


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Figure 4. APE Soils **February 2020**

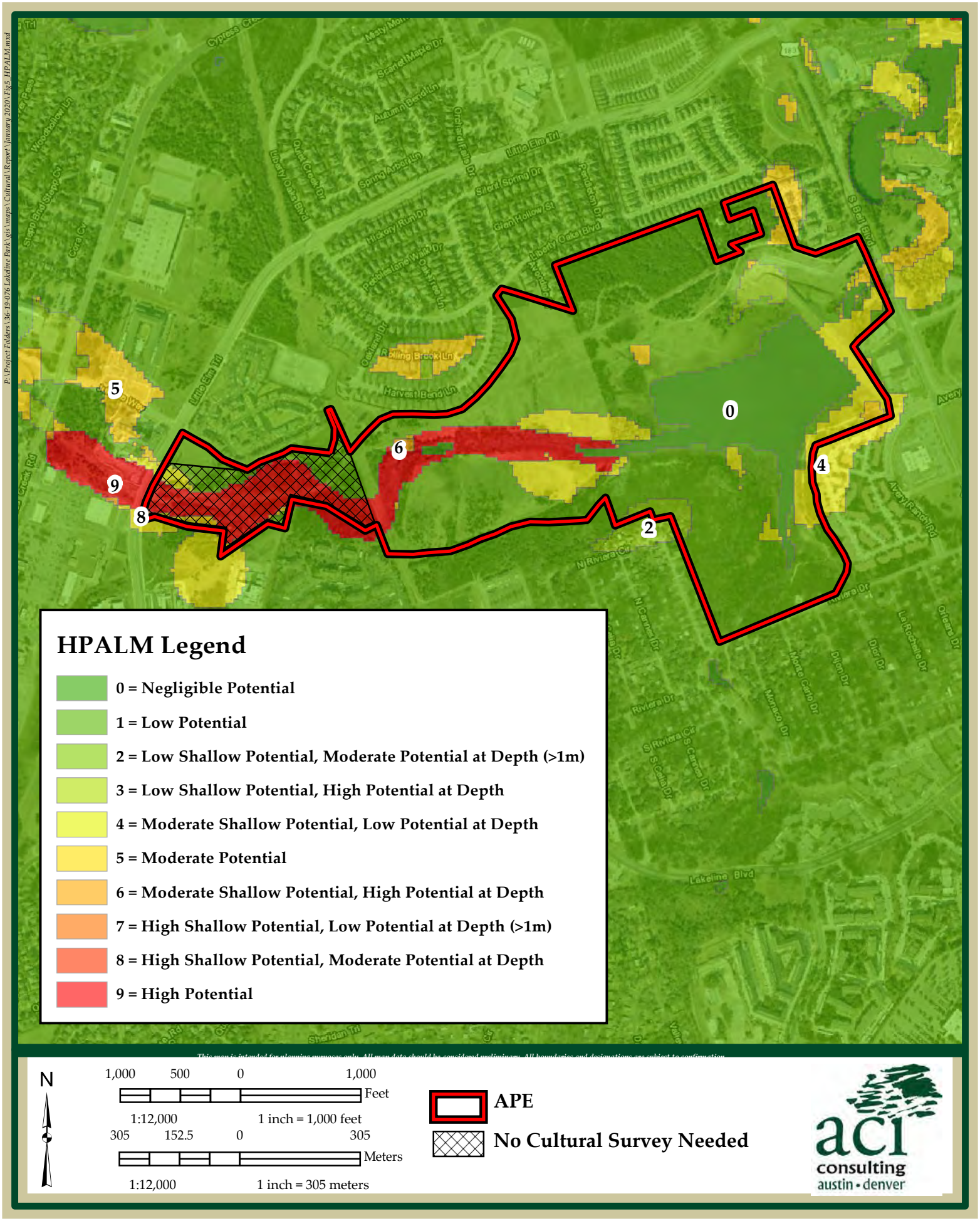

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Figure 5. Austin District Hybrid Potential Archeological Liability Map (HPALM) **February 2020**

3.0 REGIONAL HISTORIC AND CULTURE CHRONOLOGY

3.1 Prehistoric Background

The property falls within the Central Texas archeological region (Collins 1995). Prehistoric archeological sites in Central Texas represent continuous human occupation starting around 11,500 years ago. Michael B. Collins (1995) authored a synthesis of Central Texas archeology in which he divides the prehistory of Central Texas into three periods: (1) the Paleoindian, (2) the Archaic, and (3) the Late Prehistoric. Each of these is further divided into subperiods, such as early and late. Dates are presented as Before Present or BP in Table 1.

Table 1. Regional Prehistoric Chronology of Central Texas (Collins 1995)

Period	Date Range
Paleoindian	11,500-8800 BP
Archaic	8800-1200 BP
Early	8800-6000 BP
Middle	6000-4000 BP
Late	4000-1200 BP
Late Prehistoric	1200-500 BP
Historic	500 BP +

The Paleoindian period dates between approximately 11,500 and 8,800 BP (Collins 1995:381-3). The Early Paleoindian in Central Texas is part of a larger, regional cultural horizon, the Clovis horizon. Clovis sites record a general hunter-gatherer lifeway based upon a wide variety of fauna including large herbivores as well as smaller animals. Evidence of plant resources is less common, but it is presumed that local floras were also important to subsistence. In contrast, later Folsom sites indicate a greater reliance upon big game hunting. The Late Paleoindian seems transitional between the Paleoindian and Archaic in that burned rock features are present, but they are not as large or ubiquitous as those associated with the Archaic. Other artifacts, features, and faunal remains seem more similar to those found later in the Archaic.

Archaic (Collins 1995:383-385) sites in Central Texas are most often associated with the use of heated rock in hearths, ovens, middens, and scatters. The period as a whole is defined by the intensified use of local resources and diversity of material culture in comparison to the Paleoindian period. The climate ranged from mesic (relatively moist) in the Early Archaic and the later part of the Late Archaic and xeric (relatively dry)

during the Middle Archaic and beginning of the Late Archaic. Subsistence during mesic times is centered on the live-oak savanna while a shift in emphasis toward xerophytes may have occurred during xeric intervals.

The Late Prehistoric saw the migration of several new linguistic groups, primarily from the Great Plains, into the region. The introduction of ceramics into the archeological record takes place in the region during this time as well. The movement of Europeans inland from the coast and north from Mexico ended the prehistoric era.

3.2 Historic Background

Historic exploration and settlement of the Williamson County area began in the late seventeenth and early eighteenth centuries when Spanish explorers traveled through the region searching for better routes to the missions in East Texas. Captain Alonso De León followed the Camino Real from San Antonio to Bastrop several times during the 1680s, and, at least once, he traveled on the Camino de Arriba, which crossed Brushy Creek and the San Gabriel River. In 1716, Louis Juchereau de St. Denis, a French explorer, and Captain Domingo Ramon, a Spanish explorer, led an expedition through the area and camped on the banks of Brushy Creek and the San Gabriel River. They named them Arroyo do las Bendítas Ánimas and Rio de San Xavier, respectively. In 1721, the Marques de Aguayo led a large group of soldiers, livestock, and provisions through present-day Williamson County to replenish supplies at the eastern missions. In the mid-eighteenth century, the San Xavier missions were established along the San Gabriel River, just east of the Williamson/Milam County line. By 1753, drought and disease made the missions uninhabitable, and Spanish influence in the area declined (Odintz 2002).

Anglo-American influence in the area began with a series of land grants from the Mexican government in the late-eighteenth and early-nineteenth centuries. In 1835, continual attacks by local Indians prompted Captain John J. Tumlinson and his company of Texas Rangers to construct a fort and Indian lookout near the headwaters of Brushy Creek, in southwestern Williamson County. Tumlinson Fort, as it was called, was abandoned in 1836 when General Santa Ana invaded Texas (Odintz 2002).

Following the defeat of General Santa Ana at the Battle of San Jacinto, several veterans of the battle settled in Williamson County. In 1838, Dr. Thomas Kenney and his family built a fort on Brushy Creek, in what is now eastern Williamson County. Kenney's Fort

became the first civilian settlement in Williamson County. However, Indian attacks were a frequent problem, and numerous settlers, including Kenney, were killed by Indians. By 1846, the Indian threat had waned and settlement in the region increased. In 1848, the Texas legislature established Williamson County, naming it after Robert Williamson, a Milam County Judge and state senator.

By 1850, the county had a population of 1,379 whites and 155 slaves. Most of the population was located in the eastern part of the county on Brushy Creek and the San Gabriel (Odintz 2002), but a few families were living in the western half. During the 1850s and 1860s, towns, lumber mills, and tanneries sprang up around the county. Although urbanization and industrialization increased somewhat, the bulk of the county remained rural and agricultural. The majority of the families lived on subsistence farms in log houses and raised corn. During the 1850s and early 1860s, the slave population increased and the agricultural patterns within the county became more diverse. Wheat and corn were the predominant crops in the Blackland prairies, and cattle and sheep ranching were widespread throughout the county. Cotton was introduced in the 1850s, but it was not a significant cash crop.

The economy of Williamson County slumped during the Civil War but picked up again in the 1870s with the growth of the cattle and sheep industry and the expansion of cotton farming. The cattle industry was sustained by the Chisholm trail, which was established in 1864 and passed close to Round Rock. Many cattle drives passed through or originated in Williamson County. The 1870s and 1880s were also marked by the arrival of railroads to Williamson County (Odintz 2002).

By the early twentieth century, cotton farming had surpassed the cattle industry in importance. With the dramatic growth in cotton farming, a shift in farm tenancy developed. As late as 1880, 77 percent of the farms were still worked by owners. By 1890, 43 percent of the farms were worked by owners, and by 1930, only 29 percent of the farms were worked by owners. The tenancy rates continued to drop during the Great Depression (Odintz 2002).

The cotton industry suffered economically during the 1920s from the effects of soil depletion, falling prices brought on by overproduction, and the boll weevil infestation. The Great Depression of the 1930s worsened the economic situation and encouraged farmers to shift away from cotton to livestock. Cotton production was reduced by

nearly half, while sorghum and wheat became important crops. Along with cattle and sheep, poultry farming intensified (Odintz 2002).

Significant population and economic changes occurred in the 1960s, 1970s, and 1980s. The construction and expansion of roads throughout the undeveloped areas of Williamson County meant urban populations now had easier access to the Hill Country and vice versa. The consolidation of rural schools also meant children could now attend schools outside of their rural communities. For example, during the 1910s and 1920s, Rock House School was one of the largest schools in Williamson County. In 1903, the school boasted a population of 96 students and 2 teachers. The school was consolidated with Liberty Hill School in 1947, and by the 1990s, Rock House had become a dispersed agricultural community.

Suburbanization of the portions of the county bordering Austin caused the population of Williamson County to boom in the 1970s and 1980s. In 1970, the population of Williamson County was 37,305. By 1982, the population had grown to over 85,700 (Odintz 2002). A pattern of absentee ownership and of non-agricultural use of the land also intensified following World War II. Austin, Georgetown, and Liberty Hill grew rapidly. According to a recent census, Cedar Park alone has an estimated population of 76,800 and growth is expected to continue going forward (City of Cedar Park 2019).

Congress proposed ways in which the United States could mitigate flooding and increase the amount of stored water during the 1930s. As a result, the Flood Control Act was originally passed in 1936, then again in 1944, and 1954, assigning "responsibility of the Watershed Protection and Flood Prevention Program to the USDA Soil Conservation Service, now the Natural Resources Conservation Service (NRCS 2013; McDaniels 1964)." Federal funding for this program was granted in 1954 and since then, approximately 2,000 dams have been constructed within 145 watershed projects in Texas alone (NRCS 2013).

Soil Conservation Reservoir No. 6 (reservoir) and associated Floodwater Retarding Structure No. 6 (dam) were constructed after 1957; the approximate date of when a 53-acre easement procured by the Brushy Creek Water Control and Improvement District No. 1 of Williamson and Milan Counties for the Upper Brush Creek Subwatershed (Board of Water Engineers 1957; Freeman 2019), and before 1967 (AMS 1953; USGS 1967) (**Appendix A**). According to available historic aerials, the reservoir and dam were

the first substantial physical changes to the area, dramatically modifying the eastern portion of the project area and removing the definitive confluence of South Brushy Creek and Buttercup Creek.

Further changes to the landscape occurred during the establishment of housing developments and modern roads which began to appear outside of the current APE in 1973 (USAF), 1981 (USGS), and 1988 (TxDOT). The latest aerial image from 2019 (TNRIS) shows the land use patterns and residential and commercial developments surrounding the 185-acre Lakeline Phase I project APE at the time of the aci survey. Throughout the available historic aerials, the APE does not experience any direct or visible construction or developments, and areas of woodlands, grasses, and cleared fields in the western portion of the APE remain consistent prior to the construction of the reservoir and dam, with dirt roads, paths, and trails becoming more prominent in the imagery as the number of surrounding residential and commercial structures increase (**Appendix A**).

4.0 PREVIOUS INVESTIGATIONS

A literature review of the THC Archeological Sites Database (the Atlas) revealed there is one previously recorded archeological site and three previously conducted surveys within the APE (**Table 2**; **Figure 6**). Furthermore, there are an additional 35 previously recorded archeological sites and 29 previously recorded surveys within 1 kilometer of the APE. Of the total 35 previously recorded archeological sites, eight are ineligible for listing on the NRHP, one is ineligible within ROW for listing on the NRHP, and 26 are undetermined for listing on the NRHP. None of the sites have a known eligibility for listing on the NRHP. Furthermore, one cemetery, the Hilltop Baptist Cemetery, is located within 1 kilometer of the APE.

Table 2. Previously Recorded Sites Within One kilometer of the APE

Site	Site Type	NRHP Eligibility	Distance from APE	Recommendations
41WM27	Prehistoric middens	Undetermined	873 meters west	Unknown
41WM439	Prehistoric open terrace middens	Undetermined	705 meters east	NRHP Testing

Site	Site Type	NRHP Eligibility	Distance from APE	Recommendations
41WM454	Prehistoric rockshelter	Ineligible (2000)	980 meters east	NRHP Testing
41WM455	Prehistoric open terrace lithic scatter	Ineligible (2000)	973 meters east	NRHP Testing
41WM456	Prehistoric open terrace lithic scatter	Ineligible within ROW (2005)	814 meters east	NRHP Testing
41WM571	Prehistoric open terrace lithic scatter	Undetermined	680 meters north	None
41WM573	Historic foundation	Undetermined	563 meters north	None
41WM574	Historic foundation	Undetermined	685 meters north	None
41WM575	Historic farmstead	Undetermined	855 meters north	None
41WM576	Prehistoric lithic scatter	Undetermined	712 meters north	None
41WM577	Prehistoric lithic scatter	Undetermined	868 meters northwest	None
41WM578	Prehistoric lithic scatter	Undetermined	915 meters northwest	None
41WM658	Prehistoric open terrace lithic scatter	Undetermined	410 meters south	None
41WM661	Historic farmstead	Undetermined	953 meters southwest	None
41WM666	Prehistoric open campsite	Undetermined	718 meters southwest	None
41WM703	Prehistoric lithic scatter	Undetermined	610 meters west	None
41WM704	Prehistoric lithic scatter	Undetermined	813 meters west	None
41WM705	Archaic campsite	Undetermined	617 meters west	Artifact collection

Site	Site Type	NRHP Eligibility	Distance from APE	Recommendations
41WM706	Prehistoric lithic scatter	Undetermined	482 meters west	None
41WM707	Prehistoric open campsite	Undetermined	381 meters west	Artifact collection
41WM708	Prehistoric lithic scatter	Undetermined	691 meters northwest	None
41WM709	Prehistoric lithic scatter	Undetermined	942 meters northwest	None
41WM710	Prehistoric open campsite	Undetermined	852 meters northwest	None
41WM711	Prehistoric open campsite	Undetermined	371 meters west	Artifact collection
41WM712	Prehistoric open campsite	Undetermined	380 meters northwest	None
41WM759	Prehistoric lithic scatter	Undetermined	961 meters south	None
41WM771	Prehistoric open campsite	Undetermined	450 meters west	NRHP Testing
41WM894	Historic dump associated with slaughterhouse	Undetermined	460 meters east	None
41WM897	Historic well	Ineligible (1996)	98 meters east	None
41WM967	Prehistoric lithic scatter	Undetermined	853 meters south	None
41WM1036	Prehistoric lithic scatter	Ineligible (2002)	within APE	None
41WM1037	Historic farmstead Prehistoric lithic scatter	Ineligible (2002)	72 meters east	None
41WM1038	Prehistoric lithic scatter	Ineligible (2002)	133 meters south	None
41WM1039	Historic dump	Ineligible (2002)	65 meters south	None

Site	Site Type	NRHP Eligibility	Distance from APE	Recommendations
41WM1144	Historic scatter and water tank	Ineligible (2005)	45 meters south	Archival research

Site 41WM1036, the only previously recorded site within the APE, is a prehistoric sparse lithic scatter originally recorded in 2002 and determined ineligible for listing on the NRHP in 2002. The site sits on top of a slope overlooking Buttercup Creek to the south. The site has been previously disturbed from installation and maintenance of a transmission line, sewer line, and manhole.

Of the three previously conducted surveys within the APE, one was performed in 2002 by Horizon Environmental for USACE Fort Worth District. This survey comprises approximately 28 acres of the 185-acre APE. In 2009, Horizon Environmental surveyed for the Pedernales Electric Cooperative, Inc. for a transmission line. The 2009 survey crosses approximately 2.9 acres of the APE and is directly east of the 2002 survey. The last survey within the APE was conducted in 2014 by aci consulting for the City of Cedar Park as part of the Little Elm Trail Extension Roadway project. This survey was conducted within the area previously surveyed in 2002.

The Hilltop Baptist Cemetery (ID Number WM-C117) is located approximately 990 meters north of the APE. The Atlas (2019) provided no additional information for the cemetery. The cemetery is well outside of the APE and will not be impacted by the project undertakings.

5.0 METHODS

5.1 Survey Method

The intensive pedestrian survey of the APE was conducted to locate any archeological sites or other historical properties that may be within the APE. The pedestrian survey was conducted within the entire 185-acre project area, except for the approximately 28 acres previously surveyed in 2002 in the westernmost area of the APE. The survey did not include the reservoir (see **Figure 1** and **2**).

Historic aerial photographs for the area containing the APE dating from 1941 (ASCS) (the earliest photograph available) were referenced throughout the survey to determine the potential for historic-age structures and cultural resources within the APE. The survey was conducted in accordance with prevailing standards accepted by the THC, the Council of Texas Archeologists (CTA), and Section 106 regulations. Additionally, the pedestrian survey was augmented by shovel testing where necessary following these standards.

Shovel tests within the APE were judgmentally excavated in settings that had potential for buried cultural horizons and/or if the ground surface visibility was less than 30 percent. The tests were excavated at least 30 centimeters (cm) in diameter to the bottom of Holocene deposits, when possible. The shovel tests were dug in 10 cm levels and the excavated sediments were screened through ¼-inch hardware cloth. Shovel tests were recorded on logs and the locations of the tests recorded on a GIS unit.

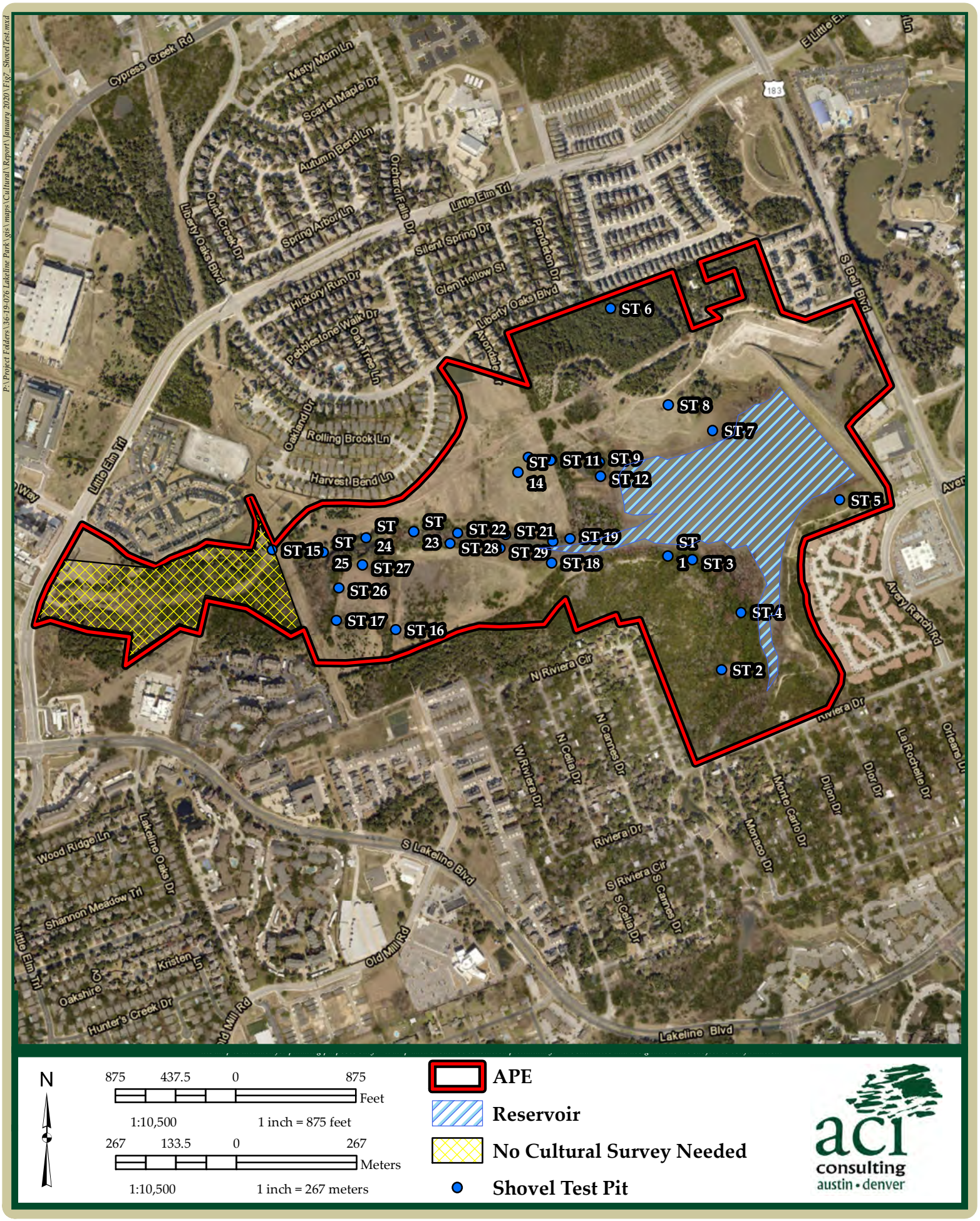
The high potential areas for intact cultural materials are mapped within Oakalla soils and comprise for approximately 24.15 acres of the 185-acre APE (see **Figures 4** and **5**). Originally, aci consulting proposed to conduct backhoe trenches along Buttercup Creek at approximately 100 meter-intervals, in accessible areas with Oakalla soil. However, 13 shovel tests conducted along both banks of Buttercup Creek at 50- to 100-meter intervals had terminating depths ranging between 35-60 centimeters below the surface (cmbs) due to the presence of decomposing limestone fragments and bedrock. Large areas of exposed bedrock were also noted along both banks of Buttercup Creek (**Figure 9** and **10**). Due to the terminating depths, and occurrence of exposed limestone and bedrock, aci archeologists did not conduct the proposed backhoe trenches. A total of 29 shovel tests were conducted throughout the entire APE (**Figure 7**; **Appendix B**).

The investigation included a site revisit to 41WM1036 in order to determine the condition of the site and to assess potential impacts to the site as a result of the project. A site revisit form was completed, and a digital TexSite Archeological Data Collection form submitted to TARL.

Newly discovered sites were assigned a temporary field designation, and digital TexSite Archaeological Data Collection forms were submitted to TARL for the assignment of trinomials. Isolated finds were not provided trinomials and were not submitted to TARL. The location of each archeological site was recorded on a USGS 7.5-minute topographic map, and a sketch map drawn showing the location of all salient features at the site. The site setting and features were photographed.

Newly discovered cultural resources dating 50 years or older will be recorded. Sites will be defined as: (1) five or more surface artifacts within a 15-meter (49.21 feet) radius, or (2) a single cultural feature, such as hearth or midden, observed on the surface or exposed during subsurface testing, or (3) a positive shovel test containing at least three artifacts within a given 10-cm (4 inch) level, or (4) a positive shovel test or BHT containing at least five total artifacts, or (5) two positive shovel tests located within 30 meter (98.43 feet) of one another. The distance of artifactual from active disturbances such as trails and roadways and/or location within dense canopy that may lessen the chances for disturbance will be taken into consideration when determining an archeological site. All other found artifacts will be recorded as isolated finds and included in the final report.

This was a non-collection survey. The documentation for the non-collected material includes: a complete inventory of artifacts observed, photographs of all diagnostic artifacts at the site and close-ups of diagnostic traits, and a discussion in documentation of; tool types, lithic raw materials type, and reduction stage of lithics. Documentation also included any maker's marks on historic ceramics; and color, decoration, mold lines, closures embossing, manufacturer's codes, etc., on historic glass. In-field analysis was conducted by senior field personnel familiar with artifacts of the region and period. Field forms include daily journals, photograph logs, shovel test logs, and site forms.



Lakeline Park Phase I Improvements **aci Project No.: 36-19-076**

Figure 7. Locations of Shovel Test Units **February 2020**

6.0 RESULTS OF INVESTIGATION

From September to October of 2019, aci consulting conducted a cultural resources survey for the Lakeline Park Phase I Improvements project in Williamson County, Texas. The APE for this project consisted of a 185-acre (74.87 hectares) area located on City of Cedar Park-owned land located approximately 330 feet (100.58 meters) west of the intersection of US Highway 183 and Avery Ranch Boulevard. A total of two potentially jurisdictional waters of the U.S., Buttercup Creek, and South Brushy Creek, are located within the proposed project area (see **Figures 1, 2,** and **3**). The pedestrian survey was conducted within the entire 185-acre project area, except for the approximately 28 acres previously surveyed in 2002 in the westernmost area of the APE. The survey did not include the reservoir. The APE was surveyed using linear transects that were no more than 30 meters apart and was augmented with 29 shovel test units (see **Figure 7**; **Appendix A**). The survey was conducted under various weather conditions, and no issues arose during the survey of the APE.

Exposed limestone and bedrock were present throughout the APE, and the entire eastern portion was disturbed due to the creation of the dam and reservoir (**Appendix A**). The western portion of the APE that was previously surveyed was disturbed due to the construction of a water retainment feature (**Figure 8**). Modern trash dumps were scattered throughout the APE. Photographs, shovel test pits logs, site forms, and field notes discussing daily progress were created during the survey.

The surface of the APE varies from abandoned agricultural fields with patches of grasses, low lying weeds, and at times brush and tree; to wooded areas of Ashe juniper, cedar, and exposed limestone and bedrock (**Figures 9** and **10**); to developed and maintained recreational paths and constructed areas for flood mitigation (**Figures 11** and **12**). Multiple underground water utility lines associated with the adjacent housing complexes run through both the northern and southern portion of the APE (**Figure 13**). Ground visibility throughout the APE ranged from 0 to 100 percent.

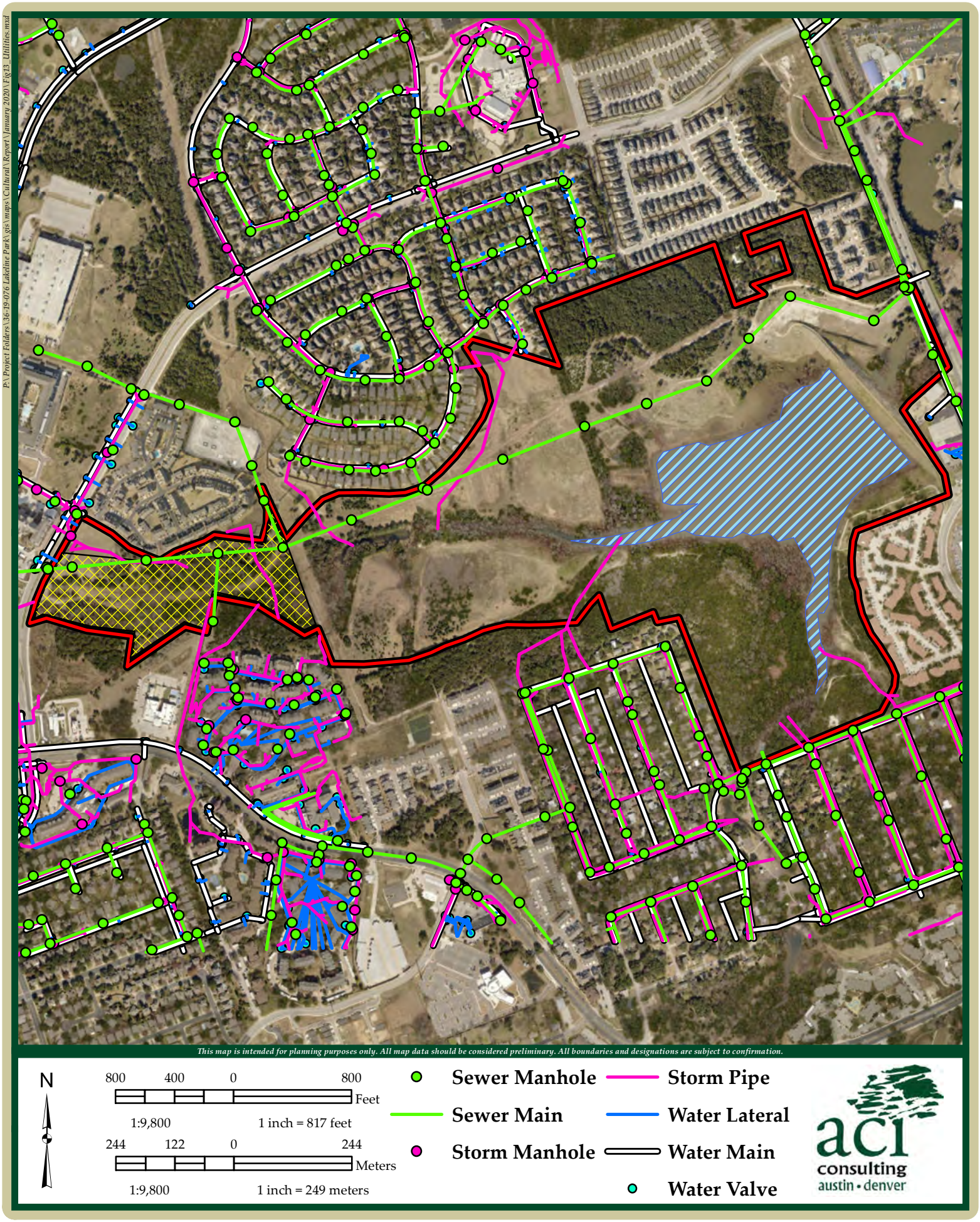
Figure 8. Overview of previously surveyed area and retention pond; facing northwest

Figure 9. Example of exposed surface and vegetation; facing north

Figure 10. Exposed limestone and surface on south bank of Buttercup Creek

Figure 11. Maintained path and manicured lawn at eastern extent of APE; facing north

Figure 12. Looking into APE from top of dam in eastern portion of APE; facing northwest



Lakeline Park Phase I Improvements **aci Project No.: 36-19-076**

Figure 13. Underground Utilitiy Lines within APE **February 2020**

6.1 Newly Recorded Cultural Resources

In total, 10 cultural resources were recorded as a result of the survey (see **Figure 14**). Newly recorded cultural resources identified include one historic-age rock fence, one multi component site, three prehistoric-age sites, three prehistoric-age isolated finds, and two historic-age isolated finds.

6.1.1 Site 41WM1412

Site 41WM1412 is a multicomponent artifact scatter consisting of approximately 20-30 aluminum cans, including several hole-in-top cans, one shard of aqua glass, and one stage II-III chert biface fragment (**Figures 15** and **16**). The site is approximately 350 m^2 (3,767 ft^2) in size and situated within a dense Ashe juniper forest, within a flat area atop a gently sloping ridge. Soils within the site are extremely shallow and exposed limestone bedrock is visible throughout the site. Ground surface visibility within the site is mostly obscured by leaf litter, but the likelihood for intact buried deposits is unlikely due to the shallow soils (**Figure 17**).

Site condition is poor, with only approximately 25 percent of the original historic-age assemblage likely remaining, and an unknown amount of the prehistoric-age assemblage remaining. The site has been disturbed by former livestock and agricultural use of the area and currently faces impacts from recreational visitors, modern trash dumping, erosion, bioturbation, animal trampling, and oxidization. A dilapidated hunting blind is located within the site boundary.

Based on the amount of disturbance, and lack of integrity and potential for future research, site 41WM1412 is not recommended as eligible for listing on the NRHP or SAL.

Figure 15. Example of hole-in-top can from site 41WM1412

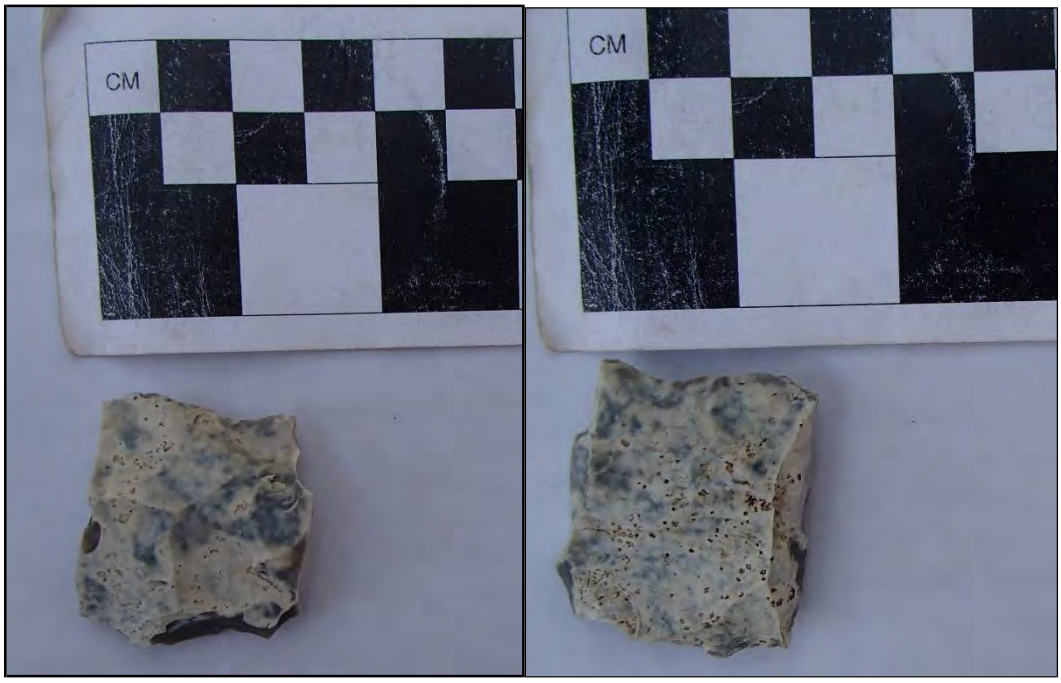


Figure 16. Biface fragment from site 41WM1412, side A (left) and side B (right)

Figure 17. Overview of site 41WM1412, facing east/southeast

6.1.2 Site 41WM1413

Site 41WM1413 is a small, prehistoric-age lithic scatter consisting of two chert tertiary stage flakes, both of which displayed distinct bulbs of percussion and platform scars (**Figures 19** and **20**). The artifact's location within a dense Ashe juniper forested area led surveyors to determine that the small lithic scatter was a prehistoric-age archeological site.

The site is approximately 225 m² (2,422 ft²) in size and situated. Soils within the site are extremely shallow and exposed limestone bedrock is visible throughout the site. Ground surface visibility within the site is mostly obscured by leaf litter, but the likelihood for intact buried deposits is unlikely due to the shallow soils (**Figure 21**).

Site condition is poor, and no other cultural resources were located within 15 m (49 ft) of the two flakes. The site has been heavily disturbed by recreational visitation, previous agricultural and livestock activities, hunting, and dumping of modern trash within the area.

Based on the heavy amount of disturbance and lack of further research value, site 41WM1413 is not recommended as eligible for listing on the NRHP or SAL.

Figure 19. Flakes from site 41WM1413

Figure 20. Flakes as observed in field, site 41WM1413

Figure 21. Overview at site 41WM1413, facing south

6.1.3 Site 41WM1414

Site 41WM1414 is a small, prehistoric-age lithic scatter consisting of one chert secondary stage flake that possesses a distinct bulb of percussion and a platform scar (**Figure 23**). The artifact's location away from active disturbance areas led surveyors to determine that the small lithic scatter was a prehistoric-age archeological site.

The site is approximately 225 m² (2,422 ft²) in size and situated within an Ashe juniper forested area that is adjacent to an abandoned two-track road on a gently sloping ridge bordering an overgrown field. The artifact's location within a dense Ashe juniper forested away from an active disturbance area led surveyors to determine that the small lithic scatter was a prehistoric-age archeological site.

Ground surface visibility around the artifact was very good due to the road, but poor (less than 30 percent) within the forested and overgrown areas (**Figure 24**). One shovel test was performed within the site to a depth of 10 cm and terminated due to limestone bedrock. No subsurface cultural deposits were located.

Site condition is destroyed. No other cultural resources were located within 15 m (49 ft) of the flake, and it is likely that the has been removed from its original context. Site disturbances include former agricultural and livestock use of the area, off-road vehicle travel, recreational visitation, and modern trash dumping.

Based on the heavy amount of disturbance and lack of further research value, site 41WM1414 is not recommended as eligible for listing on the NRHP or SAL.

Figure 23. Secondary flake from site 41WM1414, ventral view (left) and dorsal view (right)

Figure 24. Overview of area near site 41WM1414, facing north

6.1.4 Site 41WM1415

Site 41WM1415 is a small, prehistoric-age lithic scatter consisting of one chert stage IV-V biface fragment, possibly the basal portion of a projectile point (**Figure 26**). The artifact's location within a dense Ashe juniper forested area led surveyors to determine that the small lithic scatter was a prehistoric-age archeological site.

The site is approximately 225 m² (2,422 ft²) in size and situated within a dense Ashe juniper forested area on a gently sloped ridge. Soils within the site are extremely shallow and exposed limestone bedrock is visible throughout the site. Ground surface visibility within the site is mostly obscured by leaf litter, but the likelihood for intact buried deposits is unlikely due to the shallow soils (**Figure 27**).

Site condition is destroyed. No other cultural resources were located within 15 m (49 ft) of the flake, and it is likely that the artifact is removed from its original context. The site has been impacted by agricultural and livestock use of the area and currently faces impacts from recreational visitors, modern trash dumping, erosion, tree root throw bioturbation, and animal trampling.

Based on the heavy amount of disturbance and lack of further research value, site 41WM1415 is not recommended as eligible for listing on the NRHP.

Figure 26. Biface/possible projectile point base from 41WM1415

Figure 27. Ground surface of site 41WM1415

6.1.5 Site 41WM1416

Site 41WM1416 is a partial nineteenth-century rock fence located within the APE that was constructed as early as the late 1840s, but no later than the 1870s. The rock fence is approximately 2,331 feet (710.5 meters) long, ranges between approximately 2 to 4 feet (0.61 to 1.22 meters) in height and runs parallel to and north of the southern boundary of the 1839 Richard Duty Survey before turning north to intersect the Buttercup Creek drainage (Freeman 2019) (see **Figure 29**). The rock fence continues north on the north side of the creek and closely follows the east line of the Duty Survey. The southern portion of the wall also parallels a formerly open cultivated field that extends north from the wall to Buttercup Creek and contains segments with wire fencing that wraps over the fence on both sides and is secured by wooden and metal posts that abut the fence. The northern portion of the wall lays adjacent to and east of formerly cultivated, cleared fields that lay north of Buttercup Creek and south of a housing development (Freeman 2019) (**Appendix C**).

According to Freeman (2019), the northernmost portion of Site 41WM1416 is comprised of local limestone, generally described as honeycomb, characterized by numerous holes or chambers that create a honeycomb appearance (**Figure 30**). No historic-age or prehistoric-age artifacts were observed during the archeological survey of the rock fence. The fence is a combination of single- and double-walled, dry-laid construction, and is rarely more than one to two feet in height. The fence's location on the east line of the Duty Survey identifies it as a dual-purpose structure that most likely resulted from the extraction of rock from the adjacent fields to the west and served to mark an early legal boundary.

Figure 30. Example of 'honeycomb' limestone at northernmost portion of 41WM1416 (Freeman 2019)

According to Freeman (2019), the southernmost portion of site 41WM1416 is comprised of limestone field and ledge stone of varying widths, heights, and depths. The structure is dry-laid, double-walled construction for approximately 3.5 feet of its height from the ground surface and single-walled construction above that. The wall varies in its state of preservation and ranges from poor and ruinous condition on the east end, where stones have been removed for reuse elsewhere, to fair-to-good condition further east. The most intact portions of the wall exhibit fairly level coursing and some chinking with smaller stones (**Figure 31**). Coursing varies from one level to the next, a construction practice that demonstrates wall-building knowledge on the part of the builder because it adds stability to the entire wall. In some short sections of the wall, coping appears to have survived. In other sections, the top course is surmounted by flat stones. Indications of fire-tempering appear occasionally, evidence of the fires that typically occurred in Hill County cedar thickets during the historic period. The height and double-walled construction of the wall suggest that its purpose was to control livestock.

Figure 31. Example of coursing construction, southern façade of rock fence (Freeman 2019)

The condition of the fence is difficult to ascertain, and several portions have been removed, even recently, to construct fire pits for campers and park visitors (**Figure 32**). However, its width at the ground level and occasional double-walled remnants suggest that it was taller at some point (Freeman 2019). Archival records and visual observations conducted in November by Historian Martha Doty Freeman suggest that site 41WM416 is eligible for listing on the NRHP based on Criteria A through D (Freeman 2019) (see **Appendix C** for the complete NRHP assessment of 41WM1416).

However, approximately 1,050 feet (320 meters) of the stone fence extending north from the north bank of Buttercup Creek to the northern boundary of the APE has been severely disturbed, with some portions of the wall completely removed, or are no longer visually recognizable. The remaining 1,280 feet (390 meters) located in the southern part of the APE extending south/southeast from the south bank of Buttercup Creek maintains the highest degree of structural integrity. Based on the varying degrees of structural integrity, aci recommends the southern portion of the stone fence be considered for the NRHP under Criteria A though D, and ad SAL under Criteria 2 and 4 within Subchapter D of the Antiquities Code of Texas (Natural Resources Code 2019). Although there are no current plans to remove or modify site 41WM1416 as a result of

the Phase I Improvements Project, the site would be directly impacted by the increased amount of traffic within the area as a result of the project, and potential future project phases, consequently increasing the site's exposure to the general population.

Figure 32. Stones removed from wall to create fire pit with smoke coming from recently used fire pit on left hand side

6.1.6 Summary of NRHP and SAL Assessment of 41WM1416

In November 2019, Martha Doty Freeman, Historian, was hired to assist aci consulting in researching the history of the property on which 41WM1416 is located and assessing the NRHP eligibility of the site under Criteria A through D. Freeman began the process by reviewing the legal documentation compiled by Central Tejas Research that identified tracts of land on which 41WM1416 is located. These consisted of three tracts out of the Richard Duty Survey, Abstract 183, currently owned by the City of Cedar Park (Freeman 2019).

Freeman reviewed Texas General Land Office records pertaining to the Duty Survey. She then visited 41WM1416 with aci archeologists on November 11, 2019 and used records at the Williamson County Courthouse in Georgetown to complete a chain of title for the surrounding property. She supplemented the legal research with local history sources available at the Georgetown Public Library and Texas State Library and

Archives Commission, cemetery records, ad valorem tax records, and census records (population and agricultural schedules). She contacted the son of a long-time property owner, who was able to provide information about 41WM1416 and other, now-demolished rock walls on the property. She also reviewed a copy of a study of Texas Hill County rock fences completed in 2004 by a student in the University of Texas at Austin Preservation Program. The study provided a historic context for Hill County rock walls, a methodology for analyzing and recording them, and suggestions for their preservation.

After conducting the extensive archival research, and interviewing informants who were associated with the previous land owners, Freeman determined that: the rock fence had historical associations with early settlement and agricultural practices that defined the historic Texas Hill County, possessed possible associations with a significant individual in Texas history (Noah Smithwick), shows areas that contain sufficient integrity allowing for information to be gathered concerning method and construction, and the potential to yield information important in the history of Williamson County. Therefore, portions of the rock fence that maintain an adequate amount of structural integrity could be considered eligible for the NRHP through Criteria A through D (Freeman 2019) (see **Appendix C** for full NRHP assessment of Site 41WM1416).

Based on the stone fence's association with the life of a famous person significant to the history of the State of Texas, and that it represents a distinctive architectural type with value as an example of a construction technique, time period, and style, the portions of the stone fence with the highest degree of structural integrity qualify as an SAL under Criteria 2 and 4 within Subchapter D of the Antiquities Code of Texas (Natural Resources Code 2019).

6.1.7 Site Revisit: Site 41WM1036

The only previously recorded site within the APE is a prehistoric sparse lithic scatter originally recorded in 2002 and determined ineligible for listing on the NRHP in 2002. Based on the 2019 site revisit conducted during the Lakeline Phase I Project survey, the entire site was destroyed during the construction of a raised berm and retention pond located southeast of an apartment complex (**Figures 33** and **34**).

6.2 Isolated Finds (IF)

6.2.1 IF 09252019-01

IF 09252019-01 is one prehistoric tertiary-stage chert flake measuring 2.5 cm (length) x 2.1 cm (width) x 0.3 cm (thickness). The artifactual material was found in open space within a commonly used recreational dirt trail, leading surveyors to determine the artifact was an isolated find and not a prehistoric-age site.

The flake displayed a distinct bulb of percussion and a platform scar (**Figure 35**). The flake is situated on a storm drain manhole and outside of its original context. No further cultural materials were found during survey of the surrounding area and no subsurface component was investigated due to the IF's proximity to the storm drain manhole and the likeliness of disturbances to subsurface deposits in the area. IF 09252019-01 is not considered eligible for inclusion on the NRHP or SAL.

Figure 35. Ventral surface of IF 09252019-01, bulb of percussion and platform visible at bottom

6.2.2 IF 10242019-01

IF 10242019-01 consists of two chert flakes, secondary and tertiary in stages, as well as five possible pieces of chert shatter. The artifactual material was found in open space within a comonly used recreational dirt trail, leading surveyors to determine the artifacts were an isolated find and not a prehistoric-age site.

The flakes displayed distinct bulbs of percussion and platform scars (**Figure 36**). The IF is situated in a dense Ashe juniper forest and is surrounded by exposed limestone bedrock. No further cultural materials were found during survey of the surrounding area and no subsurface component was investigated due to the shallowness of the surrounding soils. IF 10242019-01 is not considered eligible for inclusion on the NRHP or SAL.

Figure 36. Ventral surfaces of flakes in IF 10242019-01

6.2.3 IF 10242019-02

IF 10242019-02 is a possible prehistoric-age groundstone mano fragment of unknown material type, measuring 10 cm (length) x 5.2 cm (width) x 4.9 cm (thickness) (**Figure 37**). The artifactual material was found adjacent to a commonly used recreational dirt trail, leading surveyors to determine the artifact was an isolated find and not a prehistoric-age site.

The IF is situated approximately 8 m (26 ft) from Buttercup Creek within a moderately vegetated area directly adjacent to a recreational trail with surrounding elm, mustang grape, greenbriar, and Ashe juniper. One shovel test was placed near the IF in an area

not disturbed by exposed bedrock. No further cultural materials were found during survey of the surrounding area and no subsurface cultural component was found within surrounding soils. IF 10242019-02 is not considered eligible for inclusion on the NRHP or SAL.

Figure 37. Worked surface of IF 10242019-02

6.2.4 IF 10242019-03

IF 10242019-03 is the base with partial body fragment of a historic-age aqua glass vessel. The letters "FGW" and "CJ" were observed embossed on the base. There is a visible but light suction scar and a mold seam along the base (**Figure 38**). The artifactual material was found near a commonly used recreational dirt trail, leading surveyors to determine the artifact was an isolated find and not a prehistoric-age site.

The glass vessel was found near a milled wood post of indeterminate age, and the IF itself is situated within a wash leading down to Buttercup Creek (**Figure 39**). No side seam was observed. No further cultural materials were found during survey of the surrounding area and no subsurface component was investigated due to the shallowness of the surrounding soils. IF 10242019-03 is not considered eligible for inclusion on the NRHP or SAL.

Figure 38. IF 10242019-03: historic-age aqua glass vessel base.

Figure 39. Overview of IF 10242019-03, facing east/southeast showing bedrock

6.2.5 IF 10242019-04

IF 10242019-04 is a historic-age sun-colored amethyst (SCA) glass fragment. The glass is embossed with an embossed pattern which may indicate its original function as tableware (**Figure 40**). The artifactual material was found in open space within an active recreational dirt road, leading surveyors to determine the artifact was an isolated find and not a prehistoric-age site.

The IF is situated in a highly disturbed dirt roadway and open field. No further cultural materials were found during survey of the surrounding area and no subsurface component was investigated due to the shallowness and disturbed nature of the surrounding soils. IF 10242019-04 is not considered eligible for inclusion on the NRHP.

Figure 40. IF10242019-04: embossed surface (left) and artifact in field (right)

7.0 CONCLUSIONS AND RECOMMENDATIONS

From September to October of 2019, aci consulting conducted a cultural resources survey for the Lakeline Park Phase I Improvements project in Williamson County, Texas. The APE for this project consisted of a 185-acre (74.87-hectare) area located on City of Cedar Park-owned land located approximately 330 feet (100.58 meters) west of the intersection of US Highway 183 and Avery Ranch Boulevard. A total of two potentially jurisdictional waters of the U.S., Buttercup Creek and South Brushy Creek, are located within the proposed project area. The pedestrian survey was conducted within the entire 185-acre project area, except for the approximately 28 acres previously

surveyed in 2002 in the westernmost area of the APE. The survey did not include the reservoir (see **Figures 1, 2,** and **3**).

This survey was conducted in compliance with the Texas Administrative Code (13 TAC 26.20[2]) under TAC Permit No. 9076. The investigation consisted of an intensive pedestrian survey, shovel testing, site recording, assessment of sites for listing on the NRHP or for designation as a SAL, data analysis, and reporting in accordance with THC and CTA standards. Joey O'Keefe served as Principal Investigator.

A review of historic aerial imaging, as well as visual inspections of possible historic structures within a 330-foot (100-meter) buffer of the APE revealed that no historic structures would be indirectly impacted by the Lakeline Phase I project. The current residential and commercial structures within the 330-foot buffer were established between the mid-1970s to present, and do not currently qualify as historic structures (**Appendix A**). Although there is no federal involvement with the Lakeline Phase I project, the determination of no indirect impacts to historical structures outside of the APE would satisfy survey requirements under Section 106 of the National Historic Preservation Act of 1966, as amended.

In total, 10 cultural resources were recorded as a result of the survey, and previously recorded site 41WM1036 located within the APE was revisited (see **Figures 6 and 14**). Newly recorded cultural resources identified include one historic-age stacked rock fence, one multi component site, three prehistoric-age sites, three prehistoric-age isolated finds, and two historic-age isolated finds. Based on the 2019 site revisit for 41WM1036, the entire site was destroyed during the construction of a raised berm and retention pond located southeast of an apartment complex adjacent to the APE.

Site 41WM1412 is a multicomponent artifact scatter consisting of approximately 20-30 hole-in-top cans, one shard of aqua glass, and one stage II-III chert biface fragment. Site 41WM1413 is a small, prehistoric-age lithic scatter consisting of two chert tertiary stage flakes. Site 41WM1414 is a small, prehistoric-age lithic scatter consisting of one chert secondary stage flake. Site 41WM1415 is a small, prehistoric-age lithic scatter consisting of one chert stage IV-V biface fragment, possibly a projectile point. None of these newly recorded cultural resources were considered eligible for listing on the NRHP.

Site 41WM1416 is a partial nineteenth-century rock fence located within the APE that was constructed as early as the late 1840s, but no later than the 1870s. The rock fence is approximately 2,331 feet (710.5 meters) long, ranges between approximately 2 to 4 feet (0.61 to 1.22 meters) in height, and runs parallel to and north of the southern boundary of the 1839 Richard Duty Survey before turning north to intersect the Buttercup Creek drainage (see **Figure 29; Appendix C**). The rock fence continues north on the north side of the creek and closely follows the east line of the Duty Survey. The southern portion of the wall also parallels a formerly open cultivated field that extends north from the wall to Buttercup Creek. The northern portion of the wall lays adjacent to and east of formerly cultivated, cleared fields lay north of Buttercup Creek and south of a housing development (Freeman 2019) (**Appendix C**).

In November of 2019, Martha Doty Freeman, Historian, was hired to assist aci consulting in researching the history of the property on which 41WM1416 is located and assessing the NRHP eligibility of the site under Criteria A through D. Based on the results of Freeman's archival research, along with oral histories of family members associated with land tracts, the rock fence was determined to be eligible for listing on the NRHP under Criteria A though D, and an SAL under Criteria 2 and 4 within Subchapter D of the Antiquities Code of Texas (Texas Natural Resources Code 2019).

However, approximately 1,050 feet (320 meters) of the stone fence extending north from the north bank of Buttercup Creek has been severely disturbed, with some portions of the wall completely removed, or are no longer visually recognizable. The remaining 1,280 feet (390 meters) located in the southern part of the APE extending south/southeast from the south bank of Buttercup Creek maintain the highest degree of structural integrity. Based on the varying degrees of structural integrity, aci recommends the southern portion of the stone fence be considered for the NRHP, and a SAL.

Although there are no current plans to remove the rock fence, the site would be directly impacted by the increased amount of traffic within the area of the Phase I project, and potential future project phases, consequently increasing the site's exposure to the general population. aci recommends that prior to undertakings associated with the Lakeline Phase I Improvements Project, a plan should be created by professional archeologists and project engineers with methods to protect the potentially eligible

cultural resource from future impacts. Included with this report is a commitment of avoidance letter for 41WM1416 signed by the City of Cedar Park (**Appendix D**).

As a result of the investigation, aci consulting recommends that construction of the proposed Lakeline Phase I Improvements should be allowed to proceed without further examination for archeological resources within the 185-acre APE. It must be noted that no level of survey intensity can be guaranteed to locate all cultural features within the APE. Therefore, should previously unrecorded cultural resources; including human remains, be discovered during the course of construction for this project, the City of Cedar Park will contact a qualified professional archeologist to assess the findings.

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(TxDOT) Texas Department of Transportation
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(TNRIS) Texas Natural Resources Information System
2019 Williamson County; 1:4,000 in Banks Environmental Data. Historic Aerial Photographs: ES-I32704. Lakeline Phase I Improvements Project. Thursday, December 12, 2019.

(USAF) United States Air Force
1973 Williamson County; 1:4,000 in Banks Environmental Data. Historic Aerial Photographs: ES-I32704. Lakeline Phase I Improvements Project. Thursday, December 12, 2019.

(USGS) U.S. Geological Survey
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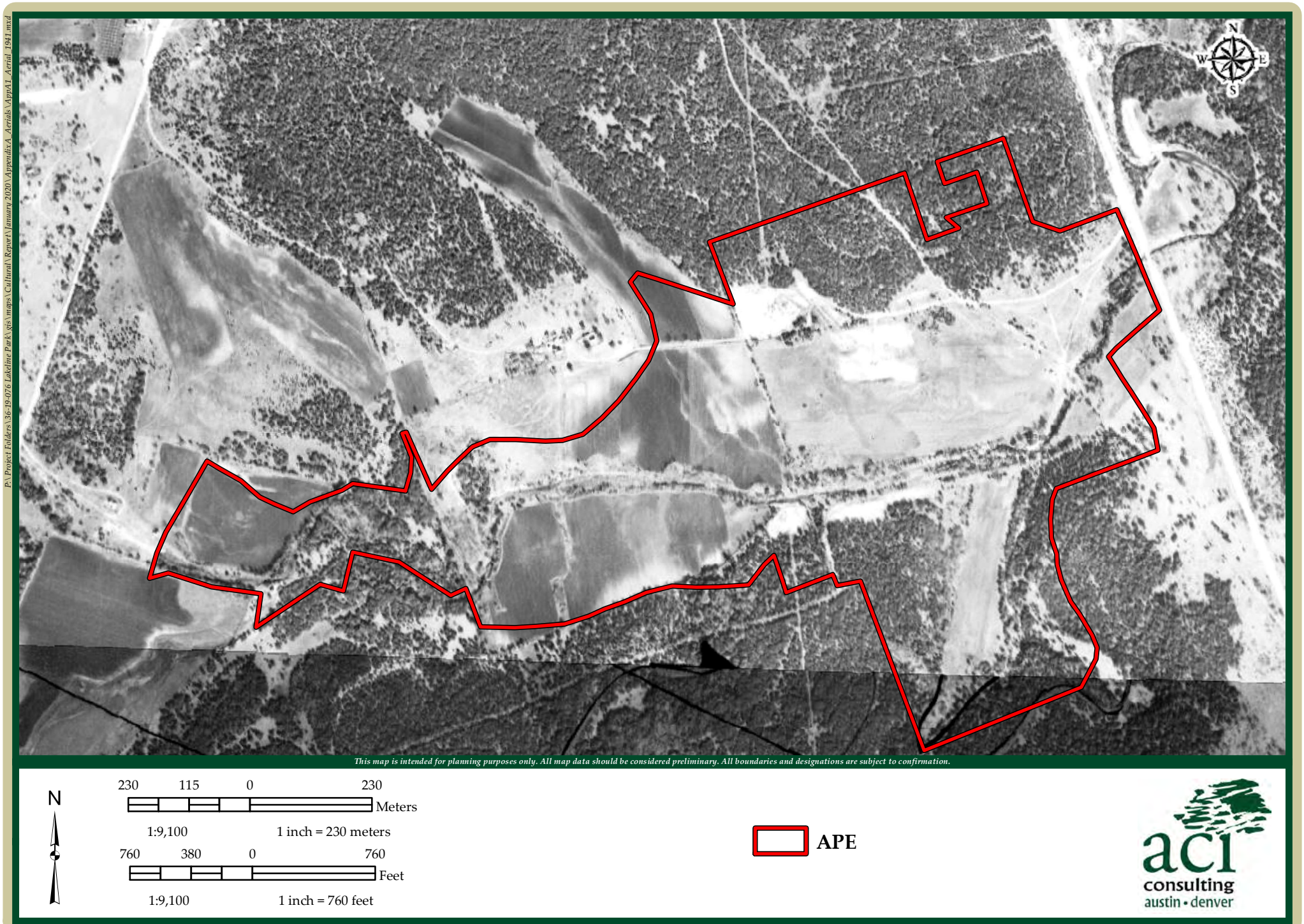
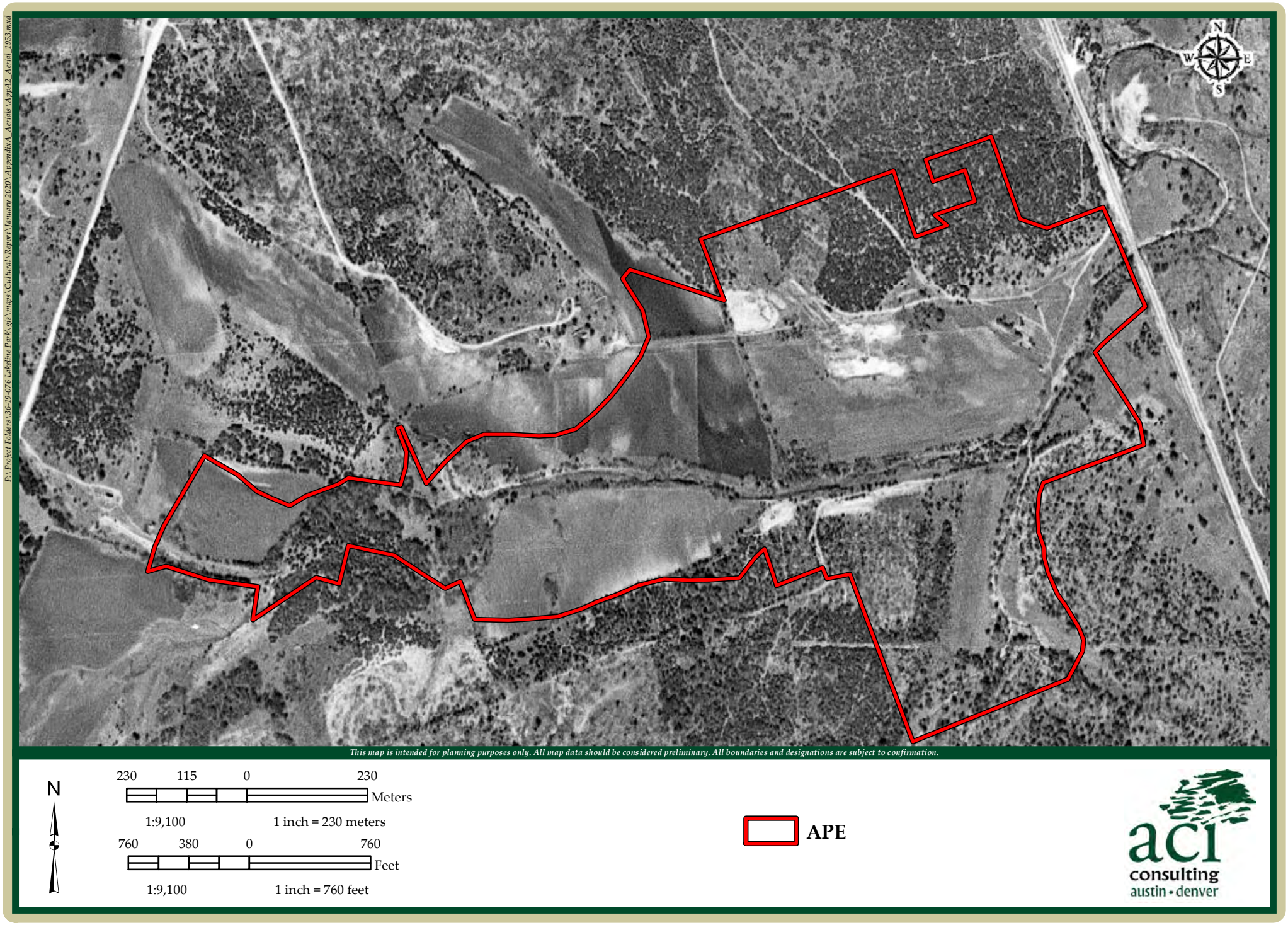
Appendix A:
Historic Aerials (1941-2019)



Lakeline Park Phase I Improvements **aci Project No.: 36-19-076**

Appendix A-1. APE on 1941 Historic Aerial Photograph Background (ASCS) **January 2020**



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Lakeline Park Phase I Improvements **aci Project No.: 36-19-076**

Appendix A-2. APE on 1953 Historic Aerial Photograph Background (AMS) **January 2020**

P:\Project Folders\36-19-076 Lakeline Park\gis\maps\Cultural\Report\January 2020\AppendixA_Aerials\App43_Aerial_1967.mxd

This map is intended for planning purposes only. All map data should be considered preliminary. All boundaries and designations are subject to confirmation.

N

230 115 0 230
Meters
1:9,100 1 inch = 230 meters

760 380 0 760
Feet
1:9,100 1 inch = 760 feet

APE

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Lakeline Park Phase I Improvements **aci Project No.: 36-19-076**

Appendix A-3. APE on 1967 Aerial Photograph Background (USGS) **January 2020**

This map is intended for planning purposes only. All map data should be considered preliminary. All boundaries and designations are subject to confirmation.

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Lakeline Park Phase I Improvements **aci Project No.: 36-19-076**

Appendix A-4. APE on Aerial Photograph Background (USAF 1973) **January 2020**

P:\Project Folders\36-19-076 Lakeline Park\gis\maps\Cultural\Report\January 2020\AppendixA_Aerials\App45_Aerial_1981.mxd

This map is intended for planning purposes only. All map data should be considered preliminary. All boundaries and designations are subject to confirmation.

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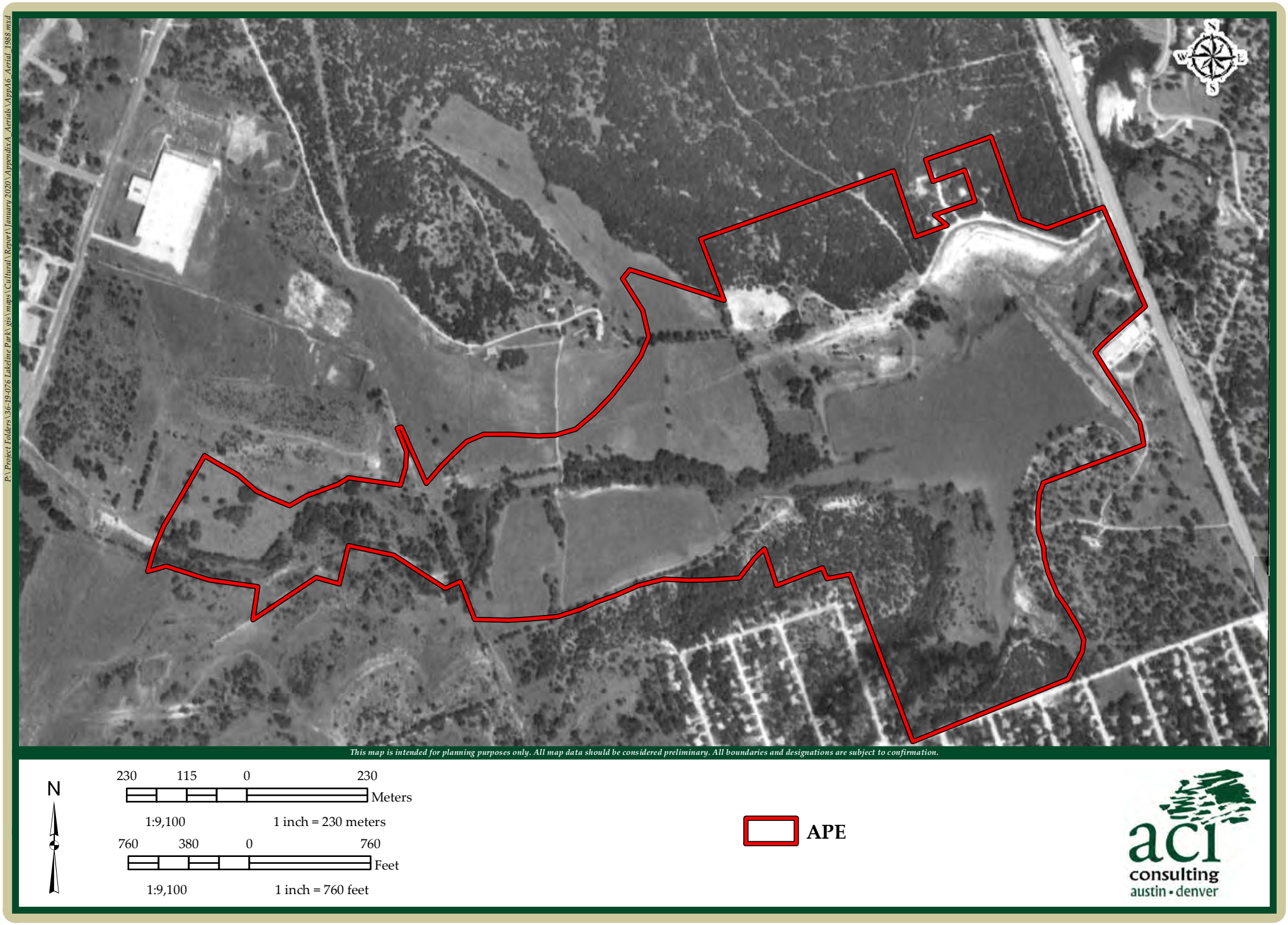
Lakeline Park Phase I Improvements **aci Project No.: 36-19-076**

Appendix A-5. APE on 1981 Aerial Photograph Background (USGS) **January 2020**



Lakeline Park Phase I Improvements **aci Project No.: 36-19-076**

Appendix A-6. APE on 1988 Aerial Photograph Background (TxDOT) **January 2020**

P:\Project Folders\36-19-076 Lakeline Park\gis\maps\Cultural\Report\January 2020\AppendixA_Aerials\App47_Aerial_1995.mxd

This map is intended for planning purposes only. All map data should be considered preliminary. All boundaries and designations are subject to confirmation.

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1:9,100 1 inch = 230 meters

760 380 0 760 Feet

1:9,100 1 inch = 760 feet

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Lakeline Park Phase I Improvements **aci Project No.: 36-19-076**

Appendix A-7. APE on 1995 Aerial Photograph Background (USGS) **January 2020**

P:\Project Folders\36-19-076 Lakeline Park\gis\maps\Cultural\Report\January 2020\AppendixA_Aerials\App48_Aerial_2004.mxd

This map is intended for planning purposes only. All map data should be considered preliminary. All boundaries and designations are subject to confirmation.

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Meters
1:9,100 1 inch = 230 meters

760 380 0 760
Feet
1:9,100 1 inch = 760 feet

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Lakeline Park Phase I Improvements **aci Project No.: 36-19-076**

Appendix A-8. APE on 2004 Aerial Photograph Background (USDA) **January 2020**

P:\Project Folders\36-19-076 Lakeline Park\gis\maps\Cultural\Report\January 2020\AppendixA_Aerials\App49_Aerial_2008.mxd

This map is intended for planning purposes only. All map data should be considered preliminary. All boundaries and designations are subject to confirmation.

N

230 115 0 230 Meters

1:9,100 1 inch = 230 meters

760 380 0 760 Feet

1:9,100 1 inch = 760 feet

APE

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Lakeline Park Phase I Improvements **aci Project No.: 36-19-076**

Appendix A-9. APE on 2008 Aerial Photograph Background (USDA) **January 2020**

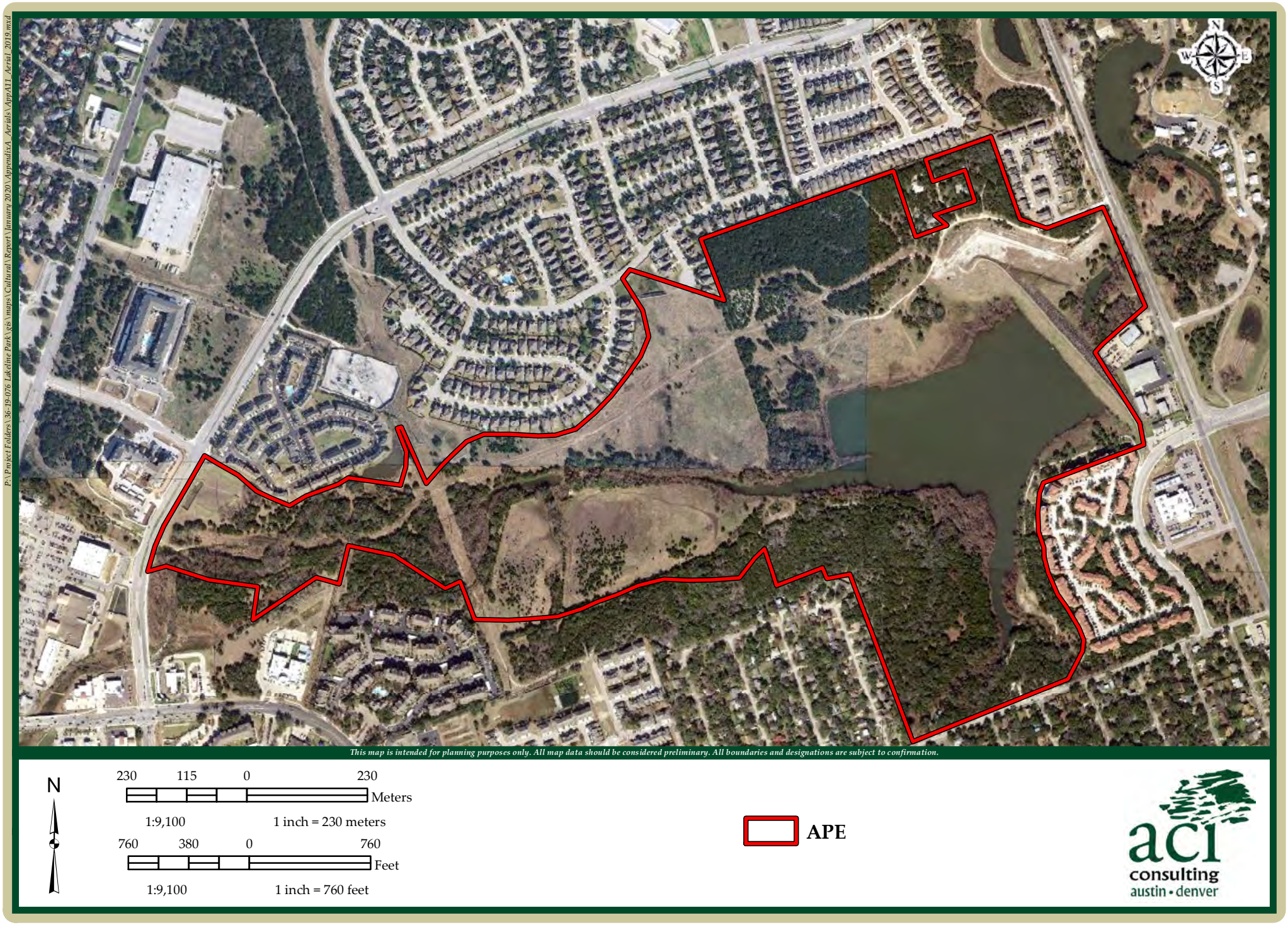
P:\Project Folders\36-19-076 Lakeline Park\gis\maps\Cultural Report\January 2020\AppendixA_Aerials\AppA10_Aerial_2014.mxd

Lakeline Park Phase I Improvements

aci Project No.: 36-19-076

Appendix A-10. APE on 2014 Aerial Photograph Background (USDA)

January 2020



Lakeline Park Phase I Improvements **aci Project No.: 36-19-076**

Appendix A-11. APE on 2019 Aerial Photograph Background (TNRIS) **January 2020**

Appendix B:
Table of Shovel Test Pits

Appendix B – Lakeline Phase I Project: Table of Shovel Test Pits

Lakeline (36-19-076) Shovel Test Record

Transect Number	Project Shovel Test Number	Site Shovel Test Number	Shovel Test Number	Positive/ Negative	Depth (cmbs)	Munsell	Texture	Terminating Depth (cmbs)
4	1	N/A	1	Negative	0-10	10 YR 3/2	Lo	10
	2	N/A	2	Negative	0-10	10 YR 3/1	Cl	25
					10-25		Sa Lo	
5	3	N/A	1	Negative	0-10	10 YR 3/2	Lo	10
6	4	N/A	1	Negative	0-15	10 YR 3/2	Lo	25
					15-25	10 YR 2/1	Lo, 50% Gravels	
7	5	N/A	1	Negative	0-10	10 YR 3/2	Lo	25
					10-25	10 YR 2/1	Lo, 50% Gravels	
8	6	N/A	1	Negative	0-10	10 YR 4/1	Sa Lo	10
16	7	N/A	1	Negative	0-10	10 YR 2/1	Cl	10
18	8	N/A	1	Negative	0-10	10 YR 4/2	Sa Lo	10
21	9	N/A	1	Negative	0-35	10 YR 2/1	Cl Lo	35
22	10	1	1	Negative	0-15	10 YR 3/1	Cl	15
	11	2	2	Negative	0-10	10 YR 3/1	Cl	10
	12	N/A	3	Negative	0-20	10 YR 3/1	Cl Lo	20
23	13	N/A	1	Negative	0-10	10 YR 5/2	Lo	40
					10-40	10 YR 3/2	Cl Lo	
24	14	N/A	1	Negative	0-15	10 YR 3/1	Cl Lo	15
34	15	N/A	1	Negative	0-5	10 YR 7/2	Sa Lo	5
37	16	N/A	1	Negative	0-20	10 YR 3/1	Cl Lo	20
38	17	1	1	Negative	0-10	10 YR 2/1	Cl Lo	10

Appendix B – Lakeline Phase I Project: Table of Shovel Test Pits

Transect Number	Project Shovel Test Number	Site Shovel Test Number	Shovel Test Number	Positive/ Negative	Depth (cmbs)	Munsell	Texture	Terminating Depth (cmbs)
51	18	3	1	Negative	0-5	10 YR 4/1	Cl Lo	5
59	19	1	1	Negative	0-2	10 YR 3/1	Lo	20
					2-20		Cl Lo	
	20		2	Negative	0-15	10 YR 2/1	Cl	15
	21		3	Negative	0-5	10 YR 2/1	Lo	20
	22		4	Negative	0-5	10 YR 3/1	Cl	25
					5-25	10 YR 2/1	Cl	
	23		5	Negative	0-15	10 YR 2/1 mottled with 10 YR 3/1	Sa Cl	15
	24		6	Negative	0-15	10 YR 3/3	Cl mottled with Cl Lo	15
	25		7	Negative	0-45	10 YR 2/1	Cl	45
60	26		1	Negative	0-20	10 YR 3/2	Cl Lo	55
					20-55	10 YR 4/3 mottled with 10 YR 5/1	Lo, 10-25% Gravels	
	27		2	Negative	0-30	10 YR 3/1	Cl Lo	60
					30-60	10 YR 3/1 mottled with 10 YR 5/1	Cl Lo	
	28		3	Negative	0-20	10 YR 3/1	Lo Cl	35
					20-35	10 YR 2/1 w/ limestone	Cl	
	29		4	Negative	0-15	10 YR 3/1	Cl Lo	55

Appendix B – Lakeline Phase I Project: Table of Shovel Test Pits

Transect Number	Project Shovel Test Number	Site Shovel Test Number	Shovel Test Number	Positive/ Negative	Depth (cmbs)	Munsell	Texture	Terminating Depth (cmbs)
60	29		4	Negative	15-40	10 YR 4/2	Cl Lo w/ 50% Gravels	55
					40-55	10 YR 5/2	Lo w/ 50% Gravels	

Appendix C:
41WM1416 History and NRHP Assessment (Freeman 2019)

41WM1416
History and NRHP Assessment
by
Martha Doty Freeman, Historian
for aci consulting
December 2019

Introduction and Methodology

In September, October, and November 2019, aci consulting archeologists conducted a cultural resources survey of 185 acres of land owned by the City of Cedar Park and intended for development by the creation of trails, public use pavilions, park guest amenities, and multiple-use public open spaces and fields. During that survey, archeologists noted the existence of a rock wall and what they speculated was a road adjacent to a segment of the wall. Their preliminary examination of topographic maps from 1896, 1904, 1932, 1959, and 1982 did not reveal the existence of a road in the vicinity of the wall. However, a line of trees that followed the wall dated as early as 1941 on historic aerials (King 2019). The archeologists mapped the wall and designated it as Site 41WM1416.

In November 2019, Martha Doty Freeman, Historian, was hired to assist aci personnel consulting in researching the history of the property on which 41WM1416 is located and assessing the National Register of Historic Places (NRHP) eligibility of the site under Criteria A-D. She began the process by reviewing the legal documentation compiled by Central Tejas Research that identified tracts of land on which 41WM1416 is located. These consisted of three tracts out of the Richard Duty Survey, Abstract 183, currently owned by the City of Cedar Park.

The historian reviewed Texas General Land Office records pertaining to the Duty Survey. She then visited 41WM1416 with aci archeologists on November 11, 2019 and used records at the Williamson County Courthouse in Georgetown to complete a chain of title for the surrounding property. She supplemented the legal research with local history sources available at the Georgetown Public Library and Texas State Library and Archives Commission, cemetery records, ad valorem tax records, and census records (population and agricultural schedules). She contacted the son of a long-time property owner, who was able to provide information about 41WM1416 and other, now-demolished rock walls on the property. She also reviewed a copy of a study of Texas

Hill County rock fences completed in 2004 by a student in the University of Texas at Austin Preservation Program. The study provided a historic context for Hill County rock walls, a methodology for analyzing and recording them, and suggestions for their preservation.

Environmental Background

Site 41WM1416 in southwestern Williamson County is located near the boundary of the Blackland Prairie to the east, the Grand Prairie to the north, and the Edwards Plateau to the west and south. Geologic outcrops include the Comanche Creek Formation at the confluence of Buttercup Creek and a small tributary that consists of soft, marly, fine-grained limestone. The Walnut Formation includes fine- to medium-grained limestone, marl, and marly limestone. The Edwards Formation includes fine- to medium-grained limestone and dolomite (Bailey et al. 1986:4).

For the most part, soils that have formed on these substrates are poorly developed, shallow, stony clays (Bailey et al. 1986:4) that are unsuitable for farming. However, deeper, cultivable soils are located along Buttercup Creek, which is part of the South Brushy Creek drainage and may have been spring-fed in the past. Downstream from 41WM1416, Buttercup Creek joins Cluck Creek, another perennial stream, and becomes South Brushy Creek. The terrain is level and the soils deeper in the vicinity of Brushy Creek; the topography is slightly sloping to uplands (Bailey et al. 1986:4-5).

The historic climate of southwestern Williamson County is humid subtropical with hot summers and mild winters during which there are few freezing temperatures. The average precipitation is about 32 inches, which mostly occurs in late spring and early summer; the average growing season is approximately 250 days (Bailey et al. 1986:5). Historic vegetation is a combination of cedar, oak, and grasslands, with cedar becoming increasingly invasive in the absence of harvesting and agricultural activities. The combination of geology and water resources means that building materials such as limestone have been plentiful. However, the area became increasingly marginal for crop growing during the twentieth century, except along stream valleys such as those bordering Buttercup Creek, and increasingly used for livestock raising.

Site History

Site 41WM1416, a nineteenth-century stone wall, is located in the southeastern part of the Richard Duty Survey near its intersection with the northwest line of the Rachel Saul Survey and adjacent to the west line of the Samuel Damon Survey (Figure 1). Historical activity in the area began during the period of the Republic with construction and occupation of the Tumlinson Block House near present-day Leander (Fields et al. 1985:13). Comanche Indians occupied parts of Williamson County in the late 1830s and continued to raid there until the early 1860s. However, local resident and early Texas historian Noah Smithwick considered the area of upper Brushy Creek to be free of danger from Indians by the late 1840s (Smithwick 1900:268).

Figure 1. Map of the Richard Duty Survey and surrounding grants. The approximate location of Site 41WM1416 is shown in yellow. Texas General Land Office.

The Richard Duty Grant consisting of 13 1/6 labors of land (approximately 2,200 acres) was surveyed on December 1, 1839. Duty, who had arrived in Texas in 1830, when he was married and entitled to a league and labor, may have been a relative of Austin colonists Joseph and George Duty. However, he did not live to see his land and was deceased by 1838, when his heirs petitioned the Bastrop County Board of Land Commissioners to have a grant surveyed (Texas. General Land Office 1846).

The property subsequently passed to Duty's widow, Thurza N. Blakey Duty. She married Noah Smithwick in 1839, and the couple settled on Webber's Prairie east of Austin in southeastern Travis County (Henson 1996:5:1120). By the late 1840s, Smithwick had begun to feel crowded, and he looked to his wife's property in what was then western Milam County. According to Odintz (1996:6:993) and Moore et al. (2013), the Indian threat in that area had eased after 1846, the annexation of Texas to the United States, and the region experienced the construction of frontier forts in Central Texas along with an influx of settlers who moved to the frontier along Brushy Creek and the San Gabriel River. By 1848, when present-day Williamson County was formed, there were approximately 250 settlers who had immigrated to the area. Believing that there was little or no danger from Indians, Smithwick and his family "moved out on Brushy creek, where I [Smithwick] could get elbow room, and went into the stock business" (Smithwick 1900:289). He described the country there as "wild, and infested with predatory beasts. . . ." He also described his "landed estate" as "not a valuable one from an agricultural standpoint. . . ." However, he was taken by the geology of the area, with its "ledges of limestone, which in many places were many feet in thickness." There he could see "many interesting fossils, both organic and casts, veritable picture books of the prehistoric age" (Smithwick 1900:295).

Noah Smithwick (1908-1899) was a native of North Carolina, who grew up in Tennessee. He came to Texas in 1827, left briefly, and then returned in 1835. He settled in Gonzales, took part in the Battle of Concepción, and moved to Bastrop where he joined a newly formed ranger company. He married Richard Duty's widow in 1839, and the couple subsequently lived in Travis, Williamson, and Burnet counties. A Unionist during the Civil War, Smithwick moved to southern California in 1861 with his wife and children. In old age, he lost his eyesight and dictated his memoirs, which eventually were published as a noteworthy history of life in pre-Civil War Texas (Henson 1996:5:1120).

The 1850 federal census recorded 1,379 whites and 155 slaves living in Williamson County, many of them on agricultural properties on Brushy Creek and the San Gabriel River (Odintz 1996:6:993). Population census and tax records from 1850 indicate that the Smithwicks were living on two improved acres in the Duty Survey. According to the federal agricultural census, they owned 4 horses, 52 milk cows, 2 working oxen, 20 other cattle, and 50 swine. They had $150 worth of farming implements and machinery. Their production of 150 pounds of butter in 1850 reflected

the size of their cow herd, which Smithwick described as under attack by the large wolves that could easily drag down grown cattle. The milk cows grazed on the mile-wide prairie between the Smithwick house in the far eastern part of the Duty Survey and the Colorado River timber belt (U.S. Federal Census. Agricultural Schedule 1850; Texas. Williamson County 1850). Smithwick was assisted in his endeavors by two slaves in 1851-1852 and three slaves in 1853 (Texas. Williamson County 1851-1853).

Noah and Thurza Smithwick sold the Duty Survey to Thomas and Mary P. Glasscock of Travis County in August 1853 (*Deed Record 5*:127).[1] Glasscock was a member of a prominent Austin family, and there is no indication in tax records that he ever occupied the Duty Survey. Nor did subsequent owners, all of whom were residents of Travis County: George L. and William M. Walton (1853-1856), and Hiram Duty and Wade Henry (1856-1871) (*Deed Record 5*:126; *Deed Record 7*:130-131; *Deed Record 13*:432).

On November 14, 1871, Wade Henry agreed to convey the easternmost 500 acres of the Duty Survey to Green McClure, who was already living on what was known as "the Smithwick place" (*Deed Record 13*:432). The wording of the legal description placed the Smithwick-McClure home immediately west of the eastern line of the survey, and it is likely that the home was north of Buttercup Creek. McClure's purchase occurred during a period of post-Civil War settlement in Central Texas, when cattle drives resumed, railroad companies extended lines through the area, new immigrants arrived, and major urban centers such as Austin offered banking, trade, and other commercial services that supported and promoted agricultural activities (Moore et al. 2013). Smaller rural communities such as Buttercup and Brueggerhoff [Cedar Park], both adjacent to present-day U.S. Highway 183 and east and northeast of the project area, were established and provided services to a growing rural population (Fields et al. 1985:13).[2]

Green McClure's family owned property in the Duty Survey, including the location of 41WM1416, between 1871 and 1946. McClure (1837-1881) was born in Missouri. He married Susan Catherine Steward in 1857, and they moved to Texas by 1862. In July 1862, he enlisted as a private in Company D, 30th Regiment Texas Cavalry, C.S.A., and he was discharged at the end of the Civil War (Texas. Confederate Pensions 1928). By 1870, the post office address for the McClures was Bagdad, which suggests

[1] All references to deed, mechanics liens, and probate records in this document are to Williamson County, Texas, instruments.

[2] For additional information about the history of the balance of the Duty Survey, see Fields et al. 1985:18-19.

that they may have been living on or near the Duty Survey (U.S. Federal Census. Population Schedule 1870).

By 1872, the McClures' 500 acres in the Richard Duty Survey were valued at $600, and the family of nine participated in a modest agricultural operation that included 8 horses and 15 cattle in that year. The value of the property increased steadily to $1,200 in 1875 and $1,500 in 1880, but the numbers of livestock on the property remained relatively small: 12 horses or mules and 15 cattle in 1875; and 1 horse or mule, 4 cattle, and 4 hogs in 1880 (Texas. Williamson County 1850-1880). This picture of a subsistence stock farm operation also was reflected in the agricultural schedule of the 1880 federal census that recorded McClure's ownership of 50 acres of tilled land; 20 acres of permanent meadows, pastures, and orchards; 300 acres of woodland (probably testimony to encroaching cedar thickets); and 150 acres of other unimproved land, including old fields. Livestock included 14 horses, 2 mules or asses, 8 milk cows (that produced 300 pounds of butter in 1879), 5 other cattle, 35 swine, and 15 poultry (that produced 200 eggs in 1879). Crops were varied and included items consumed in the home, fed to stock or sold commercially: 25 acres of Indian corn yielding 400 bushels, 5 acres of oats yielding 125 bushels, 8 acres of wheat yielding 60 bushels, and 8 acres of cotton yielding 2 bales. A listing of 2 acres of sorghum that yielded 40 gallons of molasses in 1879 suggested the presence of a mill and evaporator on the property, particularly since none of the McClures' neighbors reported sorghum or molasses production (U.S. Federal Census. Agricultural Schedule 1880).

Green McClure died on October 6, 1881, leaving his widow, Susan, and eight children between the ages of 3 and 20 (U.S. Federal Census. Population Schedule 1880). Susan McClure continued to live on the family farm until her death at the age of 91 in 1932. The property then passed to the McClure heirs, who held the land for another 14 years before deeding the entire 500± acres to Veda [Nevada] and Bessie McClure, two of the children of Green and Susan McClure (*Deed Record 337*:428-429; *Deed Record 342*:545-546). The two sisters lived in Austin, and there is no evidence that they continued to occupy the McClure homestead. However, there is evidence that they may have leased the property to an individual named G. C. Powell, for even though the McClures kept their 500 acres until selling the tract to Powell in 1947 (*Deed Record 343*:270), he had made an agreement with G. C. Durham in October 1946 to sell him "the property known as the north pasture of the old McClure place" that contained about 200 acres

and lay "north of the [300] acres on which seller [Powell] now lives" (*Deed Record 341*:29).

Powell officially purchased the 500-acre McClure homestead tract on March 3, 1947, and then formalized his agreement with Durham, who bought the northern 217.22 acres on July 7, 1947 (*Deed Record 342*:544-545). Powell and his wife, Cora, committed to improving the southern 257.1 acres, which was the location of the McClure home and Site 41WM1416. In October 1947, they signed a mechanics lien with J. L. Myers of Travis County in which they agreed to pay Myers $2,720 to do "general repairs upon the dwelling presently situated on the [257.1 acres] and to erect a dairy barn, do certain road-work, do certain well-work and furnish certain equipment for such well. . ." (*Mechanics Lien 13*:39-41).

The Powells operated a dairy on their land until Grover Cleveland Powell's death on September 15, 1951, when his estate consisted of the 257.1 acres, half interest in property in Bexar County, stock, the cattle on the dairy farm, and miscellaneous property and household good, "including farm and dairy machinery. . ." (*Probate File 4754*). Cora Powell held the property until 1959, but it is not known if she lived on the property or leased it out. The effective, usable acreage was reduced in about 1957, when she conveyed an easement over a 53-acre tract to the Brushy Creek Water Control and Improvement District No. 1 of Williamson and Milam counties. The District sought to mitigate the impact of the record and devastating flood earlier in 1957 that had destroyed property and resulted in substantial loss of life in Williamson County (State of Texas. Board of Water Engineers 1957). With the authorization of the U.S. Department of Agriculture, the District made plans to use a portion of Cora Powell's land for the installation of Floodwater Retarding Structure No. 6 in the Upper Brushy Creek Subwatershed (*Deed Record 423*:678-679).

Cora Powell held the property on which 41WM1416 is located until August 1959, when she sold it to Dr. Horace P. Poole and Dr. Ruth Poole (*Deed Record 432*:689-690), two dentists with a practice in Austin (Figure 2). According to a son, Kurt W. Poole, Horace Poole was born in Oklahoma and attended the University of Oklahoma. Ruth Holdorf Poole was born in New York and attended the University of Michigan. The two met at The University of Texas Medical Branch at Galveston, where they trained as doctors. They graduated in 1933, moved to Austin in the early 1950s, and lived on Burnet Road from 1954-1959. Ruth Poole wanted her children to "experience country life," and so she and Horace bought the 257.1 acres on Buttercup Creek and moved

there in 1959. Horace and Ruth Poole commuted to their practice in Austin; their sons Kurt and Keith attended local schools and were expected to work on the farm (Poole 2019b).

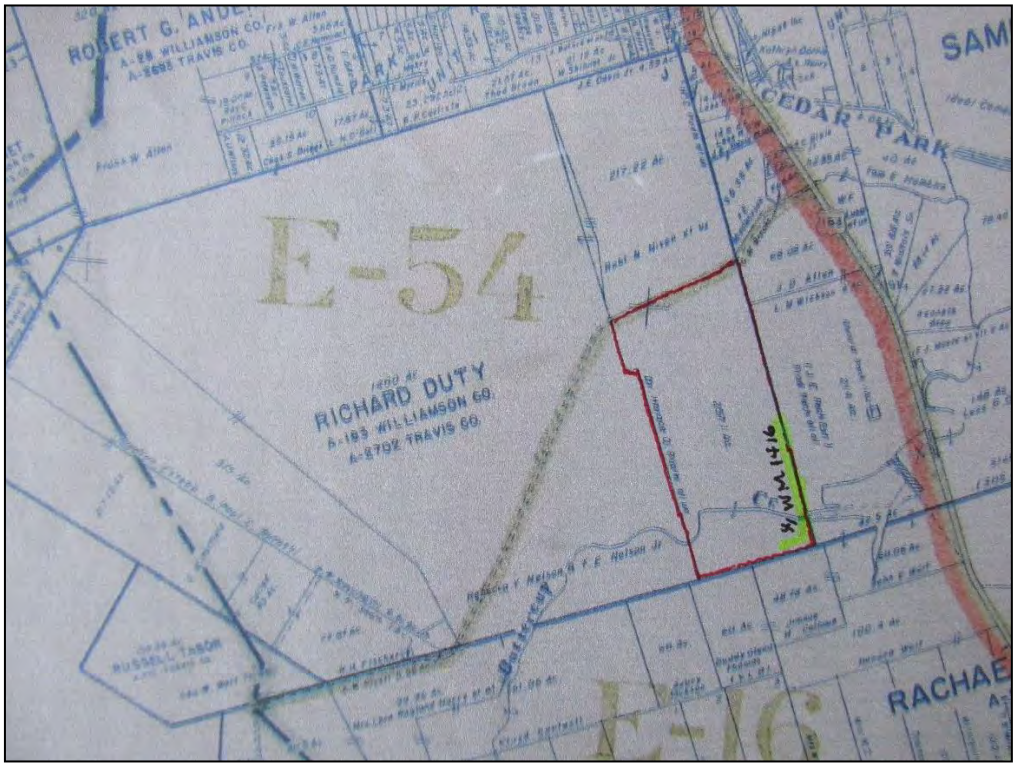


Figure 2. A map of land ownership in the south half of Williamson County, Texas, depicts the Richard Duty Survey and the 257.1 acres owned by Dr. Horace P. Poole, Dr. Ruth Poole, and their two sons, Kurt W. and Keith S. Poole between 1959 and 1994. The approximate location of Site 41WM1416 is shown in yellow. Property owned by the Pooles is outlined in red. Tobin Surveys, Inc. 1959.

According to Kurt Poole, the family moved into a three-bedroom, two-bath rock house measuring about 1,100 square feet, lived there, and then built a larger rock house nearby in the early 1960s. When they moved to the property, there were three sets of rock walls on the property. The first (41WM1416) was in the southernmost and easternmost parts of the tract; two others were located in the northern part, and stone from those were either sold and removed from the property or they were used in the construction of the Pooles' new home (Poole 2019a).

The Pooles intended that the property function as a farm, and Kurt Poole remembered that his parents ran a maximum of 45 Hereford cattle, approximately a dozen quarter horses, and 800 Angora goats on their 257 acres. Subsequently, the Pooles changed their emphasis to Spanish, or meat, goats and raised an equivalent

number on their property. They raised feed crops, cultivating Kleingrass, Haygrazer, wheat, and oats. Because the goats were adept at climbing the remaining 4-foot rock wall at the southern end of the property (part of 41WM1416) and invading the cultivated land, the Pooles installed a higher wire fence against the south face of the wall. Cross fencing, most of which is gone from the property, also helped protect the crops (Poole 2019a).

Dr. Horace Poole died on August 8, 1978. His probate inventory documented the improvements on his property as well as its continued agricultural use, although at a less-intense level than during the 1960s. Buildings included the family home, a tenant dwelling, a rock barn, and a metal barn. Agricultural equipment included a John Deere tractor, International five-point plow, International two-row shredder, an irrigation pump, and a John Deere grain drill. Livestock on hand included 11 cows, a bull, 4 heifers, and 8 goats (*Probate File 9231*).

Dr. Ruth Poole lived on the farm until February 1993, when she died, and her probate file documented continued, modest agricultural use of the property. A John Deere tractor was on the property as were miscellaneous farm implements. The estate had sold 6 goats recently, which left livestock consisting of 2 goats and 10 cows (*Probate File 13957*). The declining emphasis on agricultural use was typical of the Cedar Park area in the 1990s as rural land became attractive for development. Between 1968, when settlement near U.S. Highway 183 was still sparse, and 1987, developers began to buy agricultural land, build streets and other infrastructure, and lay out new subdivisions. The area south of the Poole property, north of RM620, and west of U.S. Highway 183 filled in rapidly with commercial buildings, homes and apartments, utility infrastructure, and streets. By the late twentieth century, the Poole tract was an isolated rural property within an increasingly urbanized landscape.

Heirs of Dr. Ruth Poole were her two sons, Kurt W. Poole and Keith S. Poole, who inherited the family land. In July 1994, they divided the property into two parcels of 100.77 acres and 156 acres (*Deed Record 2577*:901-910), and then sold both parcels to a development firm, North Austin 256, L.P. on July 29, 1994 (*Deed Record 2577*:911-912, 948-949). Within a year, a portion of the former Poole property that included part of 41WM1416, together with additional land in the adjoining Saul and Damon surveys, was owned by Madrone Investments, Ltd., which sold two tracts totaling 279.2 acres to Becky Ltd. (*Deed Record 2730*:160-168). Becky Ltd. then conveyed two tracts totaling 80.74 acres to the City of Cedar Park, including the location of the southern part of

41WM1416 on February13, 2006, in a conveyance that was corrected by survey on October 2, 2013 (*Instrument 2006011122*; *Instrument 2013099814*). Additional land that included the northern part of 41WM1416 was acquired by the City of Cedar Park on August 7, 2013 (*Instrument 2013079610*).

A Context for Hill County Rock Fences

Site 41WM1416 is a partial nineteenth-century rock fence located on or near the southern and eastern boundaries of the Richard Duty Grant, land that was occupied by agriculturalists Noah Smithwick and his family and slaves from *ca*. 1850-1853 and Green McClure and his family from *ca*. 1871-1932. During those years, the property was used to graze animals (milk cows, beef cattle, horses, and goats) and to grow crops used to feed the residents of the property and their animals. Because the rock fence was located on or near the southern- and eastern-most boundaries of the Duty Grant and what appear to have been cultivated fields adjacent to the Buttercup Creek floodplain and in uplands north of the creek, it is assumed that the fence resulted from field clearing. It served the purposes of marking a legal boundary and excluding livestock from cultivated fields.

According to Knott (2004:vi), "[t]he historic rock fences of the Texas Hill Country are important visual and cultural components of its rural landscape" that are threatened by economic pressures. They are "artifacts of pioneer life," which Knott believes makes them "worthy of preservation." In rapidly urbanizing areas of Texas, rock fences remain "important component[s] of the rural historic landscape" that are disappearing because of their removal for sale, reuse in other projects, or lack of maintenance that results in "collapse and loss of integrity" (Knott 2004:1).

While Hill Country rock fences often have been attributed to German settlers, many are, in fact, the result of building projects by immigrants from the Upper South of the United States, including the states of Tennessee, Kentucky, Missouri, and Arkansas. As such, they display particular cultural practices as they respond to a specific natural environment. They "reflect local geology, soils, and agricultural practices," and they document historic uses of land (Knott 2004:1-2, 5).

Fencing laws in Texas began in 1840 and required farmers and planters to fence cultivated fields to a height of at least five feet (Knott 2004:18), a requirement that was often difficult to enforce and depended on the availability of building materials. Additional laws were passed by the State of Texas in the 1870s, and their

implementation became more feasible with the availability of barbed wire in the late 1870s. Property such as that owned and cultivated by the Smithwicks and McClures would have been the location of a variety of fencing materials designed to protect cultivated and domestic areas. These would have included stone resulting from the clearing of fields during the earliest period, cedar, and eventually wire when that material became widely available. Knott speculated that "[v]ery few rock fences were constructed after 1880, because with the introduction of barbed wire, there was no reason to expend such a large amount of money and energy when an easier and cheaper material would do just as well" (Knott 2004:20). On the other hand, field maintenance associated with continued cultivation would have resulted in the continued availability of stone that could have been used to supplement existing stone walls or build new ones.

Rock fences are widespread throughout the Texas Hill Country, where the basic building material is readily available. Knott identified three different types of rock used in fence construction: field or creek rock that is "weather- or water-worn and very irregular" and may include honeycomb limestone; ledge rock that is "flatter and more angular" and displays more uniformity within one fence; and quarried rock that is usually more than 6 inches thick and "more uniform and shape and thickness within one fence than field and creek rock." Some fences display a combination of two or more of the three types of stone (Knott 2004:33).

Most of the rock fences recorded by Knott were between 3 and 4 feet high; the next most common height was 4 to 5 feet. Shorter walls often were fence remnants or "linear field clearings. . . ." Most fences were between 18 inches and 23 inches wide at the top and 24 inches to 30 inches at the base. Wider fences were usually double-walled, while narrow fences were single-walled. Some fences were a combination of a doubled-walled base and single-walled top. Most fence segments that she observed exceeded 1,000 feet in length (Knott 2004:35, 36, 45).

Detailing often included coping, a way to finish off a fence by laying angled stones as the top course. Double-walled fences often were finished with a horizontal cap course below the coping that covered the space between the walls. Coursing generally was mixed, rather than straight or horizontal, because the materials were irregularly shaped if the stone was the commonly used field or creek material. Block heights tended to be mixed due to the source material; ledge-stone or quarried stone fences were more consistent. Typically, the irregular stone shapes resulted in spaces of

¾ inch to 2 inches where stones did not have contact. Experienced stone layers laid courses so that a joint in one row of stone was covered by stone in the course above, a practice that resulted in a more stable fence (Knott 2004:37, 39, 40, 42-44).

Knott's field research in Blanco County found that 65 percent of the rock fences were in poor-to-fair condition with many of the poorest being "remnants or rubble piles." Damage to the fences was attributable to a lack of maintenance; removal or other loss of coping; the practice of "mining" the fences for stone; and demolition, moving, or burial in order to create more field space (Knott 2004:53).

Knott found the 1870s to be "the peak of rock fence-building" in the Blanco County area, a period when numerous immigrants came to the Hill Country from the Upland South states where stone fences were common. In Kentucky and Tennessee, for example, numerous dry-laid rock fences were built with field, creek, and quarried rock. Often they were double-walled and included tie stones, battered sides, and cap or coping stones. The spaces between the walls often were packed with smaller rocks. Typically, the fences were approximately 4 feet tall, not including the coping, and approximately 18 inches wide at the top. A memoir from Tennessee noted that the amount of exposed limestone made fields difficult to cultivate. In response, agriculturalists built miles of rock fences and walls with stone cleared from the fields. In such settings, which were often replicated in the Texas Hill County, rock fences indicated "poor, thin soils and a need to clear soil of rocks for cultivation. . . ." Thus, the presence of stone fences usually reflected "a combination of natural conditions with a cultural propensity towards building with rock. . . ." A settler without a tradition of rock fence building might simply pile field-gathered rock on the edges of fields (Knott 2004:84, 85, 89, 93).

Based on her research, Knott concluded that Blanco County and, by extension, Hill Country rock fences served four functions: to mark boundaries; and to mark field spaces, barnyards, and house yards. She assigned value to them because they are "important artifacts that tell a story about pioneer life and immigrants adapting to a new environment" (Knott 2004:100, 102, 109). Rock fences are part of the agricultural heritage of the Hill County and are being demolished at a rapid rate, resulting in the loss of visual clues about the history of the region. In Texas, there are no laws protecting rock fences apart from their identities as components of a larger historic property such as an agricultural landscape encompassing multiple properties or site features. As a result, in areas such as the land in the vicinity of Buttercup Creek, where

evidence of the buildings and other structures associated with nineteenth-century farmsteads has been removed, it is unlikely that fences and associated fields alone would possess sufficient integrity to be eligible for nomination since other components of an agricultural landscape are absent. Knott suggests, instead, that a rock fence might be nominated for inclusion in the NRHP under Criterion D because it provides "information about nineteenth-century agricultural practices and land use patterns in Central Texas. . . ." Such a property also is expressive of historic interactions between culture and nature (Knott 2004:119, 121).

National Register of Historic Places Criteria

According to the United States Department of the Interior, a cultural property must meet at least one of the four National Register criteria to be eligible for nomination to the NRHP. Criterion A requires that the property be associated with broad trends or historical events that have made significant contributions to broad historical patterns such as agriculture, exploration and settlement, ethnic heritage, and government. The property "must embody the characteristics and qualities that collectively reflect an important historical pattern, theme, or event" within the study area. "Mere association with an agricultural trend is not sufficient justification for historical significance" (Moore et al. 2013:6-6).

Criterion B requires that the property be associated with a noteworthy individual of the historic past. The person must be important in local, state, or national history. They must derive their significance from specific associations with activities such as agriculture, immigration, politics, or business, for example. The property must have been associated with the individual during the time when he achieved significance.

Criterion C requires that a resource be significant as the work of a master builder or architect, or a good example of a particular style, type, or method of construction. It must retain the salient features of its property type and remain an intact and noteworthy example. The resource "should retain most of the salient features that make it recognizable as a good example of its type" (Moore et al. 2013:6-12-6-13).

Criterion D requires that properties yield or are likely to yield information important in prehistory or history. The resource should be evaluated within an appropriate historical context. Its potential to yield information "must be assessed based on evidence visible at the site or on archival information about the site" (aci consulting 2019:8).

Assessment of eligibility also requires definition of a period of significance, "the time span when a property was associated with important events, activities, persons, cultural groups, or land uses, or when it attained noteworthy physical qualities or characteristics" (Moore 2013:6-15).

To be eligible for nomination to the NRHP, a property must meet at least one of the National Register criteria. It also must retain sufficient integrity to convey its significance. Specifically, the property must retain enough of the seven aspects of integrity to support the identified area of significance. The seven aspects of integrity include:

- Location: the place where an historic property was built or historic event occurred.
- Design: "the combination of elements that create the form, plan, space, structure, and style of a property" (Moore et al 2013:6-17). Design may be evaluated on the level of individual buildings, a collection of buildings, on a landscape level, or on a district level.
- Setting: the physical environment and character of the place in which the historic property is located. Materials: "the physical elements that were combined in a particular configuration at a particular time to form a historic property" (Moore et al. 2013:6-21).
- Workmanship: the physical evidence of traditional or historic craftsmanship that "illustrates the skills and talents of a craftsman and may reflect a distinctive building tradition, popular architectural style or form, or innovative work techniques" (Moore et al. 2019:6-22).
- Feeling: the aesthetic and historic qualities that make a property easily recognizable to its period of significance.
- Association: the links a property has to important historical events, activities, patterns, or individuals associated with its significance.

Properties that are assessed for significance under NRHP criteria A-D must meet a threshold of integrity to be eligible for inclusion in the NRHP. This study follows the criteria set out in Moore et al. 2013, which state, "The property must be recognizable to its period of significance, convey a strong sense of time and place, and retain a sufficient amount of the qualities that demonstrate the reason(s) it is significant under any of the National Register Criteria" (6-29).

NRHP Assessment of 41WM1416

Site 41WM1416 is a 2,331-foot-long, discontinuous rock wall that runs parallel to and north of the southern boundary of the 1839 Richard Duty Survey before turning north to intersect the Buttercup Creek drainage (see Figures 1 and 2). The wall continues north on the north side of the creek and closely follows the east line of the Duty Survey. The southern portion of the wall also parallels a formerly open cultivated field that extends north from the wall to Buttercup Creek. The northern portion of the wall lies adjacent to and east of formerly cultivated, cleared fields that lie north of Buttercup Creek and south of a housing development. Both fence segments are partially obscured by dense ashe juniper, hackberry, oak, and other tree and brush growth.

The northernmost portion of Site 41WM1416 is comprised of local limestone, primarily the type known as honeycomb, which is characterized by numerous holes or chambers that create a honeycomb appearance (Figure 3). The fence is a combination of single- and double-walled, dry-laid construction, and is rarely more than one to two feet in height. Its location on the east line of the Duty Survey identifies it as a dual-purpose structure that probably resulted from the extraction of rock from the adjacent fields to the west and served to mark an early legal boundary. The condition of the fence is difficult to ascertain. However, its width at the ground level and occasional double-walled remnants suggest that it was taller at some point. An informant's memory that his family reused or sold rock from fences in the vicinity of their house (Poole 2019a) may explain the structure's current condition and configuration.

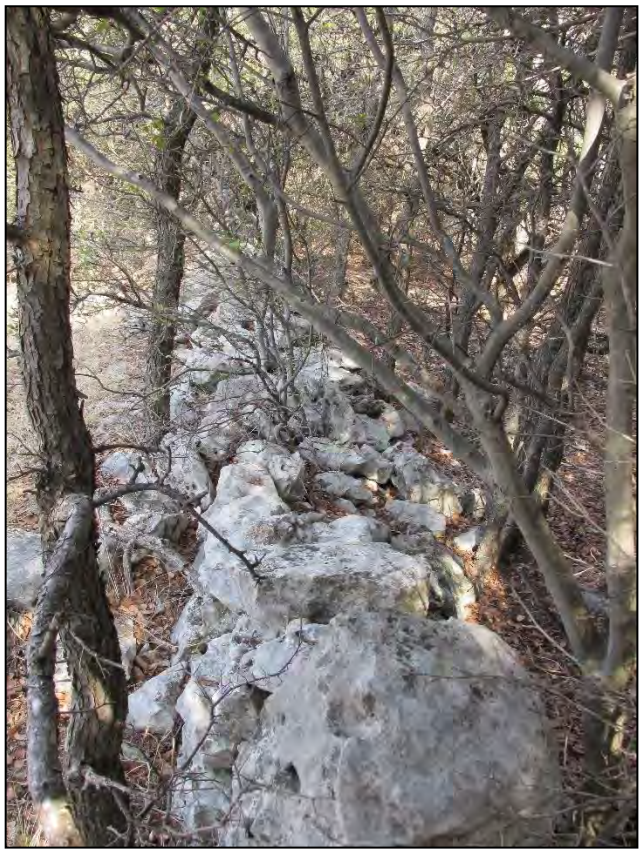


Figure 3. View of Site 41WM1416 looking north. The rock wall is located on or near the east boundary of the Richard Duty Survey and immediately west of what was a cultivated field north of Buttercup Creek.

The southernmost portion of Site 41WM1416 is comprised of limestone field and ledge stone of varying widths, heights, and depths (Figure 4). The structure is dry-laid, double-walled construction for approximately 42 inches of its height from the ground surface and single-walled construction above that. The wall varies in its state of preservation and ranges from poor and ruinous condition on the east end, where stones have been removed for reuse elsewhere (Figure 5), to fair-to-good condition. The most intact portions of the wall exhibit fairly level coursing and some chinking with smaller stones (Figure 6). Coursing varies from one level to the next, a construction practice that demonstrates wall-building knowledge on the part of the builder because it adds stability to the entire wall. In some short sections of the wall, coping appears to have survived. In other sections, the top course is surmounted by flat stones. Indications of fire-tempering appear occasionally, evidence of the fires that typically occurred in Hill County cedar thickets during the historic period. The height and double-walled construction of the wall suggest that its purpose was to control livestock.

Figure 4. View north-northwest of Site 41WM1416 showing the south façade of the stone wall and the fencing added by the Pooles after 1959 to deter goats from climbing the stone wall and entering the cultivated fields adjacent to Buttercup Creek to the north.

Figure 5. View east of the easternmost segment of the southern part of Site 41WM1416. Parts of the stone wall have been removed and reused in a campsite.

Figure 6. Detail of the north façade of Site 41WM1416 showing an intact portion of the stone wall, coursing to create a stable structure, and chinking.

It is safe to conclude that the two parts of 41WM1416 date no later than the 1870s, when the property was owned and farmed by Green McClure and his family. Some portion of the structure may date as early as the late 1840s, when the Duty Survey was occupied by Noah Smithwick, his family, and two to three slaves. Its location on the east line of the Duty Grant, which was surveyed in 1839, suggests that this segment may date to the period of Smithwick's occupation, when western Williamson County was experiencing an influx of new settlement following the Mexican War. The southernmost wall displays construction techniques commonly found in states from which Smithwick and McClure immigrated (Tennessee and Missouri). However, absent archeological testing, it is not possible to ascribe a specific date of construction to either segment of 41WM1416 beyond speculation that the site may date as early as the 1840s and as late as the 1870s. It continued to be used as both a boundary marker and method of livestock management until the late twentieth century.

Site 41WM1416 is located on a formerly agricultural tract of land, and the southern part of it served the purpose of controlling the movement of stock. In addition, it is a structure whose function included the marking of an important legal boundary established during the period of the Republic of Texas and probably marked

formally during the period of early settlement in western Williamson County. The two segments have continued to serve that dual purpose, and so the period of significance for Site 41WM1416 is considered to be *ca*. 1848, when initial settlement of the adjoining land occurred, to present.

While the integrity of both segments of Site 41WM1416 has suffered, they retain integrity of location (the place where the structure was built), sufficient design and workmanship to identify its distinguishing details of construction, setting (adjacent to fields and a water source), feeling (the qualities that make the site recognizable to its period of significance), and association (its links to early surveys and agricultural use of land in western Williamson County). It is a rare example of a nineteenth-century vernacular cultural landscape feature in a rapidly changing twenty-first-century urban and suburban landscape and expresses a "continual process of maintenance and management" (Knott 2004:3). The site is evidence of a way of life that has all-but-disappeared in western Williamson County and provides information about historic settlement patterns and agricultural practices. As a result, Site 41WM1416 is recommended eligible for listing in the NRHP under Criterion A because it has strong historical associations with the early settlement of Williamson County as well as the activities associated with early surveying in Central Texas and their mark on the landscape. The site also is associated with agriculture, an activity that dominated Williamson County and the Hill Country of Texas during the nineteenth century and much of the twentieth. Modification of the southernmost part of the site (the addition of wire fencing to the south face in the mid-twentieth century) reflects a pragmatic solution to problems associated with changes in livestock and livestock management.

Site 41WM1416 may be eligible for listing in the NRHP under Criterion B because of its possible associations with Noah Smithwick, a well-known and published chronicler of life in pre-Civil War Texas, who was one of the earliest settlers in western Williamson County. It is recognizable to the period of his occupation of the Duty Survey.

Site 41WM1416 may be eligible for listing in the NRHP under Criterion C, despite its largely poor-to-fair condition because sufficient parts of the wall retain sufficient integrity to provide information about the type and method of construction, and to link it with other, similar nineteenth-century historic fences in the Texas Hill Country.

Site 41WM1416 may be eligible for listing in the NRHP under Criterion D because it is a source of information about the cultural background of Hill Country immigrants, their activities in the nineteenth century, their agricultural practices such as deep plowing, and their expression of roots in specific local natural environments and cultural practices. Exact dating of the site may be difficult, lacking archeological investigation. Therefore, the site may be eligible for listing because it has the potential to yield information important in the history of Williamson County.

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