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Texas Antiquities Permit Number 7271

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Management Summary

TNMP contracted HDR to conduct a cultural resources survey of the Area of Potential Effects (APE), which is approximately 380 feet in length and 50 feet wide (19,000 square feet, 0.44 acre), for the proposed relocation of three distribution poles in the City of Kermit, Winkler County, Texas. The archaeological investigation conducted by HDR consisted of a survey of the APE to determine the presence/absence of archaeological resources by employing pedestrian survey and photo-documentation. Fieldwork was completed by crew chief Megan Koszarek on March 24, 2015. A total of one person-hour was invested in the field portion of the project. This survey was conducted under Texas Antiquities Permit Number 7271.

The survey resulted in a pedestrian walkover and photo-documentation of the entire project area. No archaeological materials were identified during the investigation. In accordance with 36 *Code of Federal Regulations* (CFR) 800 and 13 *Texas Administrative Code* [TAC] 26, no further archaeological investigations are recommended. As a result of the present survey, it is recommended that the proposed relocation of distribution poles within the 380 foot long, 50 foot wide APE will not have any effect on cultural resources in the project APE, and construction may proceed. In the event that any archaeological deposits are encountered during construction, work should cease, and the Texas Historical Commission (THC) should be notified.

All records and materials generated by this project will be permanently curated at the Center for Archaeological Studies at Texas State University in San Marcos, Texas.

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Contents

Tables

Figures

Abbreviations and Acronyms

APE	Area of Potential Effects
Atlas	Texas Archeological Sites Atlas
bs	Below Surface
CFR	Code of Federal Regulations
cm	Centimeter(s)
cmbs	Centimeters Below Surface
CTA	Council of Texas Archeologists
ft	Foot/Feet
GPS	Global Positioning System
in	Inch/Inches
inbs	Inches Below Surface
km	Kilometer(s)
m	Meter(s)
NRHP	National Register of Historic Places
SAL	State Antiquities Landmark
TAC	Antiquities Code of Texas
TARL	Texas Archeological Research Laboratory
THC	Texas Historical Commission

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1 Introduction

TNMP contracted HDR to conduct a cultural resources survey of the Area of Potential Effects (APE), which is approximately 380 feet in length and 50 feet wide (19,000 square feet, 0.44 acre), for the proposed relocation of three distribution poles in the City of Kermit, Winkler County, Texas. The archaeological investigation conducted by HDR consisted of a survey of the APE to determine the presence/absence of archaeological resources by employing pedestrian survey and photo-documentation. Fieldwork was completed by crew chief Megan Koszarek on March 24, 2015. A total of one person-hour was invested in the field portion of the project. This survey was conducted under Texas Antiquities Permit Number 7271.

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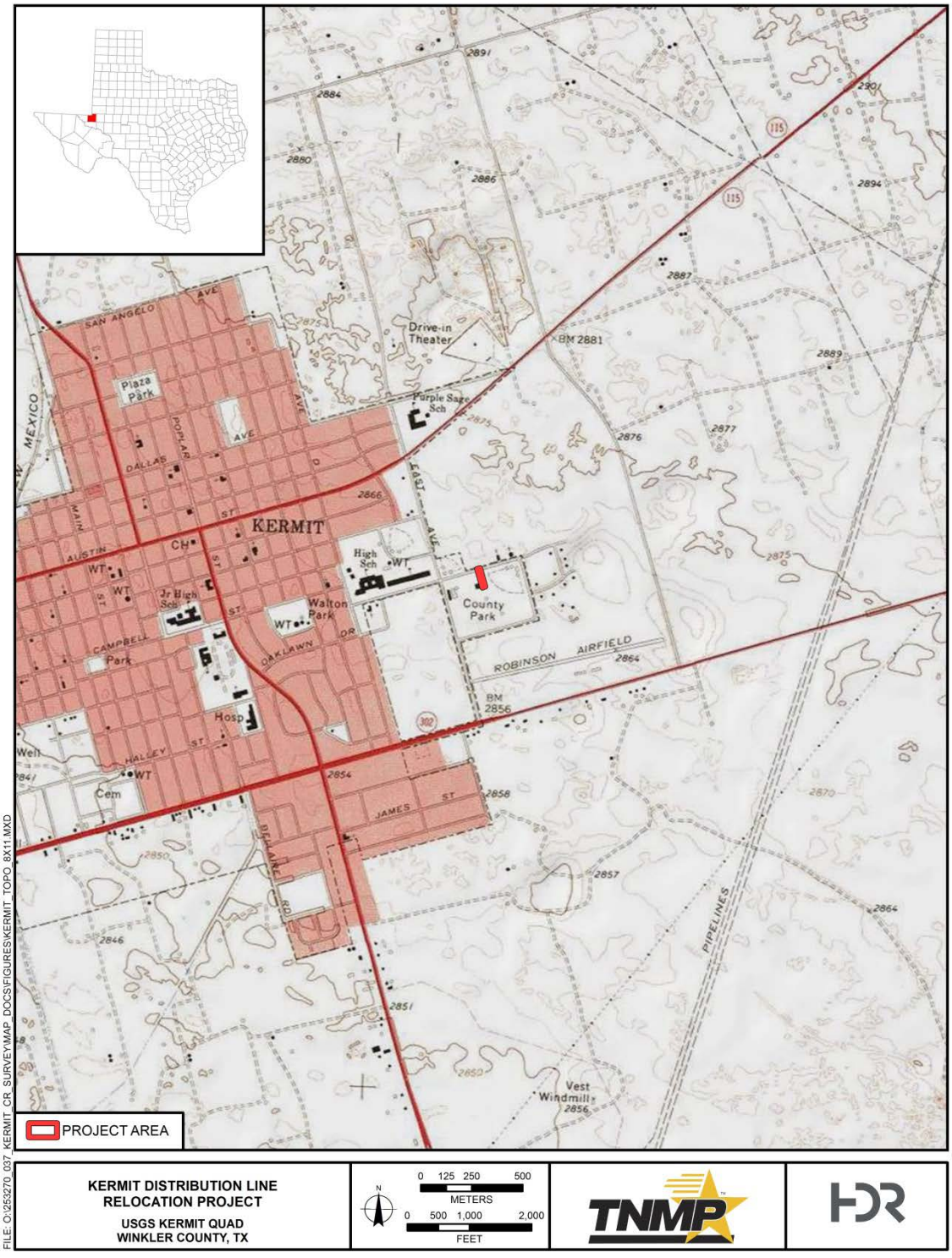

Figure 1-1. Topographic Map of the Project Area.

2 Background

2.1 Geology and Soils

The underlying geology within the project area consists of windblown sand of recent (Holocene) age (Bureau of Economic Geology 1976). According to data from the Natural Resources Conservation Service (Soil Survey Staff 2015), the project area consists of one soil map unit: the Wickett-Pyote complex, gently undulating, which forms on ridges and valleys. This complex is comprised of two soil types; Wickett and Pyote. Wickett soils are moderately deep to a petrocalcic horizon. They are well drained and are moderately to rapidly permeable above and below a very slowly permeable petrocalcic horizon. They formed in sandy and loamy eolian materials over thick beds of calcium carbonate on nearly level to very gently sloping uplands. The Pyote soils consist of very deep, well drained, moderately rapidly permeable soils. They formed in sandy and loamy sediments that have been modified by wind and occur on nearly level to gently undulating uplands.

2.2 Cultural History

The prehistory of western Texas can be divided into three major periods: Paleoindian, Archaic (subdivided into Early, Middle, and Late), and Late Prehistoric, or Formative period in the western Trans-Pecos (Table 2-1). These periods are primarily defined by diagnostic cultural artifacts found in the archaeological record which are indicative of major shifts or changes in socio-cultural practices.

Table 2-1. Prehistoric Chronology of the Trans-Pecos Region (Miller and Kenmotsu 2004)

Period	Sub-period	Western Trans-Pecos / Jornada		Eastern Trans-Pecos / La Junta	
		Regional Phase	Date Range	Regional Phase	Date Range
Paleoindian	Early Paleoindian	Clovis	10,000–6000 B.C.*	Clovis	10,000–6000 B.C.
	Middle Paleoindian	Folsom		Folsom	
	Late Paleoindian	Plano / Cody		Plano / Cody	
Archaic	Early Archaic	Early Archaic	6000–4000 B.C.	Early Archaic	6500–3000 B.C.
	Middle Archaic	Middle Archaic	4000–1200 B.C.	Middle Archaic	3000–1200 B.C.
	Late Archaic	Late Archaic	1200 B.C.–A.D. 200	Late Archaic	1200 B.C.–A.D. 900

Table 2-1. Prehistoric Chronology of the Trans-Pecos Region (Miller and Kenmotsu 2004)

Period	Sub-period	Western Trans-Pecos / Jornada		Eastern Trans-Pecos / La Junta	
		Regional Phase	Date Range	Regional Phase	Date Range
Late Prehistoric / Formative**		Mesilla / Pithouse	A.D. 200–1100	Livermore	A.D. 900–1200
		Dona Ana / Traditional	A.D. 1100–1200	La Junta	A.D. 1200–1400
		El Paso / Pueblo	A.D. 1200–1400	Conception	A.D. 1400–1683
		Post-Pueblo	A.D. 1400–1500		

*The Paleoindian phases are marked by functional and stylistic differences in tool kits but the lack of chronometric dates precludes any attempt to provide date ranges for each phase (Miller and Kenmotsu 2004)

**The Late Prehistoric Period in the western Trans-Pecos is referred to as the Formative Period (Miller and Kenmotsu 2004)

2.2.1 Paleoindian Period

The Paleoindian period is traditionally characterized by small, highly mobile bands reliant on big-game hunting, including large megafauna such as mammoths (Judge 1973). While no chronometric dates have been obtained for a Paleoindian occupation of the Trans-Pecos region, evidence in the form of various artifacts and features confirm their presence (Miller and Kenmotsu 2004). Based on the stylistic differences in tool kits, the Paleoindian period is divided into three phases; the Clovis, Folsom, and Plano/Cody phases. Fluted lanceolate projectile points, characteristic of the Clovis phase, have been discovered in in the Trans-Pecos region, providing evidence of a Clovis occupation. In addition, two Clovis habitation sites have been found in the western segment of the Trans-Pecos region (Miller and Kenmotsu 2004).

Evidence from the Folsom phase of the Paleoindian period is far more common than the preceding Clovis phase in the Trans-Pecos region. Folsom tools and sites are well documented throughout the region. The reliance on big game hunting continued during the Folsom phase with an emphasis on bison hunting, specifically the large, extinct species of bison, *Bison antiquus.* However, the Tularosa/Hueco Bolsons in the Trans-Pecos region present a unique settlement pattern during this phase that seems to have been oriented toward hunting other animals (Amick 1994).

The end of the Pleistocene, climactic change, and disappearance of megafauna led to the emergence of the late Paleoindian phase and the diversification of point types (Hester and Turner 2015). The variety of tool traditions of the late Paleoindian phase is grouped into the Plano and Cody Complexes. While cultural material from this phase is more common than that of earlier Paleoindian phases, well documented occupation sites are rare in comparison to the Folsom phase (Miller and Kenmotsu 2004).

2.2.2 Archaic Period

The continuation of climatic change during the early Holocene “contributed to the large-scale changes in subsistence strategies, requiring a diversification of the Paleoindian subsistence base with a greater focus on exploitation of plant foods” (Miller and

Kenmotsu 2004:218). This transition marked the beginning of the Archaic period across the continent around 6000 B.C. Like the Paleoindian period, the Archaic period is typically divided into three phases, the Early, Middle, and Late Archaic. The Archaic period generally represents locally specific adaptation to the Holocene environment. It is during the Archaic period that the eastern and western Trans-Pecos regions distinguish themselves from one another.

The Early Archaic in the Trans-Pecos is poorly represented in the archaeological record, which is mainly comprised of surface finds and only a few features or substantial settlements. Populations were still organized into small, fairly mobile groups, but changes in projectile point technology suggest a more restricted, seasonally mobile settlement system (Miller and Kenmotsu 2004). Projectile points changed from the lanceolate points to a variety of stemmed points, and coarser-grained materials were utilized. The projectile point styles began to become more regionally specific during this phase.

The Middle Archaic in the Trans-Pecos saw an increase in populations, resulting in a greater number of settlement sites in the archaeological record. The discovery of house structures within Middle Archaic settlements in the Trans-Pecos suggest longer periods of occupation. These structures in the western Trans-Pecos region are “among the earliest evidence for semi-sedentary settlements in the Southwest” (Miller and Kenmotsu 2004:224). The trend of increased regionalization of projectile point forms continued in the Middle Archaic period.

The land use during the Late Archaic was greatly intensified, and the first evidence of the agricultural development emerged during this phase. Hunting and gathering remained an important aspect of the economy, but prey shifted to focus more on small game such as rabbits. As a result of a briefly wetter environment in the Trans-Pecos, Late Archaic sites expanded into all ecological zones and promoted interaction among hunting-gathering groups (Miller and Kenmotsu 2004). The use of dry rockshelters during the Late Archaic period resulted in the better preservation of cultural materials including, fiber netting, basketry, animal skins, and wooden and shell pendants. Thermal features increased in number during the Late Archaic, indicating an intensification of plant processing. Ring middens became prominent features in the Late Archaic which have been known historically to have been used to cook bulbs such as sotol. Evidence suggests that during this period, populations were increasing and becoming more sedentary with an increasing reliance on agriculture.

2.2.3 Late Prehistoric Period

In the western Trans-Pecos region, the Late Prehistoric period, or Formative period, is divided into three phases, the Mesilla, Doña Ana, and El Paso. During this period, the bow and arrow was introduced, and small to medium sized game animals were the primary focus of these groups. Throughout the Formative period, settlement patterns became increasingly standardized. The Mesilla phase witnessed the beginning of the transition to a more sedentary society. While still maintaining a fair degree of mobility and primarily dependent on hunting and gathering, the emergence of pithouse architecture along with huts and the presence of some domesticated plant species lays the groundwork for the more agriculturally dependent societies that developed in later

phases. El Paso plain brown ceramics are also present in the archaeological record, as well as some imported wares.

The Doña Ana phase began constructing surface rooms in addition to pithouses. These changes in architecture and settlement patterns are believed to represent an increasing dependence on agriculture during the Formative period (Binford 1990). Beginning around A.D. 1000, decoration of local ceramics became more prevalent. This phase also saw an increase in interregional interaction, as evidenced by the increase in nonlocal ceramics.

The El Paso phase represents the apex of the transition from the mobile hunter-gatherers in the Mesilla phase to an increasingly sedentary population. Architecture is seen in the form of pueblos, square or rectangular, multi-roomed structures with caliche plastered walls and floors (Miller and Kenmotsu 2004). Settlement distribution became markedly more restricted, focusing around well-watered landscapes. The development of water control features during the El Paso phase corresponds with the pronounced agricultural development at this time in comparison to the earlier phases. Thermal and storage features along with the changes in groundstone technologies point to an increase in plant processing. Ceramic decoration continued to be more frequently and more elaborately decorated.

The Late Prehistoric period in the eastern Trans-Pecos region is usually undivided, though three poorly defined phases have been assigned the eastern Trans-Pecos / La Junta district. These phases are the Livermore, and La Junta phases. Throughout most of the eastern Trans-Pecos, few changes took place during the Late Prehistoric in terms of subsistence and mobility aside from the introduction of the bow and arrow (Miller and Kenmotsu 2004). Hunting and gathering continued to be the primary means of subsistence in the region. While small groups across the eastern Trans-Pecos maintained their traditional subsistence patterns from the Late Archaic, they were still knowledgeable of the changes taking place in other regions and even adapted some of the new technologies, such as pottery, to fit their way of life.

However, two distinct regions in the eastern Trans-Pecos, the La Junta district and the Salt Flat Basin, adopted a more agriculturally dependent subsistence pattern during the Late Prehistoric period. These groups were semi-sedentary to sedentary, living in small pithouse villages, growing crops. In general, the changes visible in the archaeological record taking place during the Late Prehistoric in the La Junta district followed a similar, though less pronounced, pattern to those in the western Trans-Pecos (Miller and Kenmotsu 2004).

2.3 Historic Native Americans

Prior to the arrival of the Spanish, between A.D. 1450 and 1500, the pueblo settlements in the western Trans-Pecos were abandoned (Miller and Kenmotsu 2004). This abandonment could have possibly been the result of an over-specialized agricultural system that was unable to cope with a fluctuation in climate (Upham 1984). Following the fall of the puebloan system in the western Trans-Pecos, little is known of the inhabitants of the region until the arrival of the Spanish in A.D. 1581. This period saw a decline in feature construction and El Paso brownware vanishes from the archaeological record altogether.

Archaeology from this time period is scarce, and most of our knowledge of the inhabitants of the western Trans-Pecos comes from accounts left by Spanish explorers. These explorers encountered several indigenous groups occupying the region. Some of these groups relied on hunting and gathering for subsistence while others had an agricultural base.

In contrast to the puebloan system in the western Trans-Pecos, La Junta villages were occupied until the establishment of Spanish missions in the seventeenth century. This period of occupation is known as the Conception phase, during which houses became larger and no longer utilized adobe in their construction. Local plainwares replaced the El Paso ceramics in the archaeological record as well. The Cielo Complex has been noted throughout the region, identified by the construction of oval roundhouses (Mallouf 1985).

In response to Spanish colonization along the Rio Grande, various indigenous groups revolted. In 1680, the Pueblo Revolt took place in New Mexico, while later—in 1684—the El Paso area witnessed the Manso Revolt (Miller and Kenmotsu 2004). Around this time, indigenous settlements shifted, and residential settlements were constructed in proximity to the Spanish missions. Artifacts from this time include chipped stone tools, groundstone, and various ceramics. Groups relied on both local and European foods, and domesticated animals were introduced. This phase is marked by the introduction of Valle Bajo ceramics. “Valle Bajo brownware represents a local expression of the regional *corriente* ware produced throughout New Mexico, west Texas, and northern Mexico during Spanish colonial times” (Miller and Kenmotsu 2004:264).

Prior to the establishment of Fort Stockton, the area around Comanche Springs in Pecos County was a part of the Comanche Trail, a path travelled by the Comanche from Oklahoma to Mexico. The area around present day City of Fort Stockton provided an ideal campsite for the Comanche because of the local water source, Comanche Springs (Weiser 2012).

2.3.1 Historic European and Euro-American Cultural Period (1849–Present)

The first European settlement in Winkler County occurred during the second half of the nineteenth century after Captain Randolph B. Marcy, noted explorer who established the Marcy Trail between Fort Smith and Santa Fe, led his troops through the region in 1849 in search of a wagon route to California. Several explorations through the area followed shortly thereafter, until U.S. Army efforts drove the Comanche out of the county in 1876. When the Texas and Pacific Railway was built through Ward County to the south in 1881, the Winkler County area, known for its tall grasses and abundant water supply, became accessible to ranchers (Smith 2010).

Winkler County was initially established in 1887 and named for Confederate Colonel Clinton M. Winkler, a veteran of many Civil War battles including Gettysburg, and commander of an infantry regiment that was part of Hood’s Texas Bridge in 1864–1865, until the surrender at Appomattox. By 1890, eleven people lived in the county and grew to a population of sixty in 1900 (Historical Census Browser 2004). All adult males in the county registered as either stockmen or ranch laborers in 1900, and there were a total of 12 ranches in the county, totaling 67,537 acres (U.S. Census Bureau 1900; Smith 2010).

The county experienced rapid growth after 1900, as a Texas land law allowed sale of school lands in West Texas, up to four sections of land per owner. By 1910, the county's population reached 442 (Historical Census Browser 2004). Kermit was established as the county seat in 1910, and in that same year, Winkler County was officially organized. At that time, the county boasted 128 farms, primarily cattle and sheep ranches rather than crop farms (Smith 2010). A ten-year drought severely impacted both the population and the economy through 1926.

The county's fortunes rebounded in 1926 when oil was discovered in central Winkler County. New residents flocked to the newly established town of Wink, helping the population skyrocket from 81 in 1920 to 6,784 in 1930 (Historical Census Browser 2004). The oil industry took over as the county's primary economic force and has remained a relatively steady force through the first decades of the twenty-first century. Agriculture interests also rebounded after mid-century, dedicated almost exclusively to livestock (Smith 2010).

Kermit, named for Theodore Roosevelt's son who hunted antelope in Winkler County in 1910, originated as a supply center for local ranches. Thus, town residents experienced the same economic heights and valleys as Winkler County ranchers, with early twentieth century growth followed by severe decline due to drought. The oil boom resuscitated Kermit, necessitating additional housing and larger schools in the 1950s and 1960s.

Development of the project area is tied to Kermit's mid-century growth. The building immediately west of the proposed line is the Winkler County Recreation Center, built in 1957 as part of a 20-acre park developed by the county. Winkler County Park plans included the 16,000-foot recreation center, 165-foot swimming pool, picnic areas, and barbecue pits, all designed to serve the social needs of local youth. A $320,000 county bond issue funded the project. Eighth Court of Civil Appeals Associate Justice and World War II veteran Alan Fraser spoke at the recreation center's grand opening, praising its dedication to the "American way of life as opposed to the regimentation of youth in authoritarian countries" (*El Paso Herald-Post* 1957:11). The building currently stands vacant.

3 Methods

3.1 Previous Investigations Near the Project Area

A review of THC's Archeological Sites Atlas (Atlas) indicates that, within a one-mile buffer zone, there have been no archaeological surveys conducted or sites recorded. However, six Official Texas Historical Markers, three Recorded Texas Historic Landmark (RTHL), and four previous structure inventories have been conducted within one mile of the project area. No cemeteries or National Register of Historic Places (NRHP) eligible or listed resources or districts are located within one mile of the project area.

3.1.1 Review of Official Texas Historical Markers

The Atlas search indicated that six Official Texas Historical Markers are located within one mile of the project area (Table 3-1). Three of the markers (marker numbers [m.n.] 2928, 5867, and 1005) are also RTHLs. The first of these RTHLs (see m.n. 2928) is Kermit's Oldest House. The house was built by the county clerk in 1910 and is owned by Mosleys Bairds. A historic marker was erected in 1964 to commemorate the house.

Table 3-1. Official Texas Historical Markers within One Mile of the Project Area.

Marker Title	Marker Number	Location	Year Erected	Comments / Recommendations
Kermit's Oldest House (Mosley House)	2928	Tommy Thompson Road	1964	Recorded Texas Historic Landmark
Moorhead Cable Tool Rig	3465	Pioneer Park, Tommy Thompson Road	1966	Rig relocated to Pioneer Park in 1966
Kermit	2927	SH 302	1964	
Winkler, Colonel C. M.	958	Poplar and Winkler Street	1963	Pink granite Civil War marker
Winkler County Courthouse	5867	110 E. Winkler Street	1988	Recorded Texas Historic Landmark
The Community Church	1005	302 S. Poplar Street	1966	Recorded Texas Historic Landmark

The second RTHL (m.n. 5867) is the Winkler County Courthouse. The courthouse was built between 1920 and 1930 to accommodate the need for a larger courthouse resulting from the boom in population after the discovery of oil in the county. It was built in the Classical Revival/Beaux Arts style and features two-story classical columns, decorative double door surrounds and transoms, and paired and triple windows on the second and third floors. In 1988, a historic marker was erected in honor of the courthouse.

The final RTHL (m.n. 1005) is the Community Church, which was officially organized in 1928. Its original sanctuary was the 1910 courthouse but was rebuilt as the first brick building in Kermit using the recent oil wealth. The church was dedicated in 1938, and the first resident pastor was C. Y. Butler. A historic marker was erected for the church in 1966.

3.1.2 Review of Previous Structure Inventories

Within the one-mile buffer zone around the project area, two properties have been previously surveyed (see Table 3-2). These survey locations are between 0.7 and 0.9 mile east of the project area. The surveyed Kermit Junior High School building is no longer extant.

Table 3-2. Previously-Inventoried Structures within One Mile of the Project Area.

Resource	Location	Year Built	NRHP Eligibility/Notes
Winkler County Courthouse	110 E. Winkler Street	1929–1930	Not eligible
Kermit Junior High School	Oak and Campbell Streets	1936–1959	Not eligible/ No longer extant

3.2 Survey Methods

HDR conducted an intensive archaeological survey of the approximate 380-foot long and 50-foot wide (19,000 square feet, 0.44 acre) project APE. The pedestrian survey was conducted by one qualified archaeologist walking within the project area. Although a majority of the project area is located on the Winkler County Park, no THC permit was required for this survey because the project affects an area less than five acres and disturbed a cumulative area of less than 5,000 cubic yards. Digital photographs were used to document the survey conditions, disturbances, and any cultural features observed, and details of each photograph were recorded on standardized forms.

3.2.1 Site Designation

The THC differentiates between archaeological sites and isolated finds. Sites are evaluated and recommended eligible or ineligible for inclusion in the NRHP. Isolated finds are ineligible for inclusion in the NRHP as they do not meet the requirements to be designated as a site. The HDR standards for defining archaeological sites and isolated finds involves the cultural affiliation and number of artifacts present within an area of pre-determined size. A prehistoric site designation is applied when five or more prehistoric artifacts are present within a 20 m^2 area. A historic site designation is applied when 10 or more artifacts of two or more artifacts classes are present within a 20 m^2 area. Isolated finds are defined as the presence of four artifacts or less within a 20 m^2 area. Site boundaries are defined by the presence of surficial materials and by shovel tests yielding cultural materials. Where possible, all radial shovel tests are excavated at 10 m intervals until two sterile units are encountered in all cardinal directions. As part of the identification and documentation of sites, sites are recorded on a State of Texas Archeological Data Site Form. This form records a variety of data including location, setting, artifactual materials recovered, and other information. All sites are sketch-mapped, recorded using a GPS, and photo-documented. Once completed, the form is submitted to the Texas Archeological Research Laboratory (TARL) for official trinomial designation. All records and materials generated by this project will be permanently curated at the Center for Archaeological Studies at Texas State University in San Marcos, Texas.

Confidential Information Withheld.

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4 Results

The linear project area consists of approximately 380 feet with a 50 foot wide corridor (19,000 square feet, 0.44 acre) for the proposed relocation of the Kermit distribution poles (Figure 4-1). The ground surface visibility was between 50 to 60 percent throughout the project area. Beginning at the southeastern corner of the project area, Koszarek systematically traversed the project area and pedestrian surveyed all unpaved areas within the APE (Figure 4-2). Most of the project area is located within the Winkler County Park and has been heavily impacted by urban and park development. The remaining northern section of the project area is on Tommy Thompson Road, which is a paved roadway with a concrete median. The abandoned Kermit Recreation Center building is located just west of the project area, and the ground surface surrounding the building has been disturbed by park construction (Figure 4-3). Further disturbances can be noted in the leveling of the baseball fields, modern sewer lines, and a two-track road that leads into the park (Figure 4-4, Figure 4-5, and Figure 4-6). No cultural resources were identified during the systematic pedestrian survey of the project area.

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Figure 4-1. Aerial Photographic Map of Project Area Showing Survey Results.

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Figure 4-2. Overview of APE from Southeastern Corner, Facing Northwest.

Figure 4-3. Photograph of the Abandoned Winkler County Recreation Center, Facing Southwest. Note Various Disturbances.

Figure 4-4. Overview of Park Showing the Artificial Leveled Surface Created for the Baseball Fields, Facing Southeast.

Figure 4-5. Photograph Showing Recent Sewer Line Disturbance.

Figure 4-6. Photograph Showing Disturbances Near Recreation Center and Two-Track Road into the Park, Facing South.

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5 Summary and Recommendations

5.1 National Register Eligibility

5.1.1 Criteria for Evaluation of Eligibility

As part of this review process, cultural resources investigations are undertaken with the purpose of identifying resources that are listed in, or eligible for listing in, the NRHP. The assessment of significance of cultural resources is based on federal guidelines and regulations. Any cultural resource that is listed in or eligible for inclusion in the NRHP is known as a "historic property," and the term "eligible for inclusion in the NRHP" includes both properties formally determined as such by the Secretary of the Interior and all other properties that meet NRHP-listing criteria (36 CFR 800.2). The criteria for evaluating properties for inclusion in the NRHP (36 CFR 60.4 [a–d]) are codified under the authority of the National Historic Preservation Act of 1966, as amended, and the Advisory Council on Historic Preservation has set forth guidelines to use in determining site eligibility. Subsequent to the identification of relevant historical themes and related research questions, these four criteria for eligibility are applied:

The quality of significance in American history, architecture, archaeology, engineering, and culture is present in districts, sites, buildings, structures, and objects that possess integrity of location, design, setting, material, workmanship, feeling, and association and

A. that are *associated with events* that have made a significant contribution to the broad patterns of our history; or

B. that are *associated with the lives of persons* significant in our past; or

C. that *embody the distinctive characteristics* of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; or

D. that have *yielded, or may be likely to yield, information important in prehistory or history*. Note that the application of Criterion D presupposes that the information imparted by the site is significant in history or prehistory [36 CFR 60.4, emphasis added].

The physical characteristics and historic significance of the overall property are examined when conducting NRHP evaluations. Although a property in its entirety may be considered eligible based on Criteria A, B, C, and/or D, specific data are also required for individual components therein based on date, function, history, physical characteristics, and other information. Resources that do not relate in a significant way to the overall property may contribute if they independently meet the NRHP criteria.

For a historic resource, district, or landscape to be determined eligible for the NRHP, it must retain enough of its historic integrity to convey its significance. For the NRHP, there are seven aspects of integrity:

1. Location
2. Design
3. Setting

4. Materials
5. Workmanship
6. Feeling
7. Association

Occasionally, certain resources fall into categories in which they must be evaluated further using one or more of the following Criterion Considerations. If a resource identified during the reconnaissance-level survey falls into one of these categories, the following Criterion Considerations will be applied in conjunction with one or more of the four National Register criteria:

A. A religious property deriving primary significance from architectural or artistic distinction or historical importance, or

B. A building or structure removed from its original location but which is significant primarily for architectural value, or which is the surviving structure most importantly associated with a historic person or event, or

C. A birthplace or grave of a historical figure of outstanding importance if there is no other appropriate site or building directly associated with his or her productive life, or

D. A cemetery which derives its primary significance from graves of persons of transcendent importance, from age, from distinctive design features, or from association with historic events, or

E. A reconstructed building when accurately executed in a suitable environment and presented in a dignified manner as part of a restoration master plan, and when no other building or structure with the same association has survived, or

F. A property primarily commemorative in intent if design, age, tradition, or symbolic value has invested it with its own historical significance, or

G. A property achieving significance within the past 50 years if it is of exceptional importance (36 CFR 60.4).

The scientific value of archaeological sites is assessed under Criterion D. With regard specifically to this criterion, the goal of prehistoric archaeological research and management is to fill gaps in the knowledge about specific research domains. Scientific importance is driven, in part, by the research paradigms of the time and in part by the amount of information available about a particular research topic in a specific geographic area. The most robust forms of scientific importance should honor diverse and occasionally competing schools of research interests and their attendant approaches. In order to fulfill Criterion D, a site must possess certain attributes (e.g., intact buried cultural strata with functionally and temporally diagnostic materials, datable cultural features), such that further intensive research at the site could be expected to add additional information to relevant research questions.

The research domains are addressed through testing and excavation programs; over time, data required for addressing specific questions are collected, analyzed, and compiled. Eventually, the potential importance, or significance, of sites that contain only the types of data already collected may diminish. This suggests the identification criteria of important historic properties are tied to both a specific geographic area reflecting a

cultural adaptation or cultural region and a state of accumulated knowledge about a research domain topic. The criteria and priorities of important sites are apt to shift as accepted research paradigms change or as data accumulations approach redundancy. Archaeological sites that retain contextual integrity and contain artifacts and features capable of contributing information toward addressing relevant research issues are significant and should therefore be considered eligible for inclusion in the NRHP.

5.1.2 State Antiquities Landmark

At the state level, archaeological sites may be considered significant and be recognized or designated as an SAL, provided that at least one of the following conditions is met:

1. The archaeological site is situated on lands owned or controlled by the State of Texas or one of its political subdivisions; or
2. The archaeological site is situated on private land which has been specifically designated as an SAL and fits at least one of the following criteria:
    A. Preservation of materials must be sufficient to allow application of standard archaeological techniques to advantage;
    B. The majority of artifacts are in place so that a significant portion of the site's original characteristics can be defined through investigation;
    C. The site has the potential to contribute to cumulative cultural history by the addition of new information;
    D. The site offers evidence of unique or rare attributes; and/or
    E. The site offers a unique and rare opportunity to test techniques, theories, or methods of preservation, thereby contributing to scientific knowledge [Texas Natural Resources Code 1977; Title 9, Chapter 191, Texas Antiquities Committee, Section 191.094 and Chapter 41.7, Antiquities Code of Texas].

Buildings, structures, cultural landscapes, and non-archaeological sites, objects, and districts may be designated as an SAL, provided that the following conditions are met:

1. The property fits within at least one of the following criteria:
    A. The property is associated with events that have made a significant contribution to the broad patterns of our history, including importance to a particular cultural or ethnic group;
    B. The property is associated with the lives of persons significant in our past;
    C. The property embodies the distinctive characteristics of a type, period, or method of construction, represents the work of a master, possesses high artistic values, or represents a significant and distinguishable entity whose components may lack individual distinction;
    D. The property has yielded, or may be likely to yield, information important in Texas culture or history;
2. The property retains integrity at the time of the nomination, as determined by the executive director of the commission; and

3. For buildings and structures only, the property must be listed in the NRHP, either individually, or as a contributing property within a historic district. Contributing status may be determined by the Keeper of the National Register of the executive director of the commission.

5.2 Conclusion and Recommendation Summary

During the course of the cultural resources survey for the proposed relocation of the Kermit distribution poles, the 380-foot linear project area was subjected to pedestrian survey and photo-documentation. The entirety of the project area has been heavily disturbed by modern development and is primarily located within the Winkler County Park. The project area has been severely disturbed by recent construction activities and is within a heavily modified park. No cultural resources were identified during the course of this survey. Due to the lack of cultural resources and level of disturbance within the project area, it is unlikely that the current undertaking will affect any cultural resources.

In accordance with 36 *Code of Federal Regulations* (CFR) 800 and 13 *Texas Administrative Code* [TAC] 26, no further archaeological investigations are recommended for the presently-defined project area, and proposed relocation of the Kermit distribution poles may proceed. However, in the event that any archaeological deposits are encountered during construction, work should cease, and the THC should be notified.

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