

MEMORANDUM OF AGREEMENT
REGARDING THE US 69/75 BRIDGE
AT THE RED RIVER
GRAYSON COUNTY, TEXAS
BRYAN COUNTY, OKLAHOMA

WHEREAS, the Federal Highway Administration (FHWA) has determined that the US 69/75 bridge replacement at the Red River in Grayson County, Texas, and Bryan County, Oklahoma, will have an effect upon the Red River Bridge, a property eligible for inclusion in the National Register of Historic Places; and

WHEREAS, the FHWA has consulted with the Texas State Historic Preservation Officer (TSHPO) and the Advisory Council on Historic Preservation (Council) pursuant to 36 CFR Part 800, regulations implementing Section 106 of the National Historic Preservation Act (16 U.S.C., Part 470f); and

WHEREAS, the Texas Department of Transportation (TxDOT) and Oklahoma State Historic Preservation Officer have participated in the consultation and have been invited to concur in this Memorandum of Agreement;

NOW, THEREFORE, the FHWA, the Texas SHPO, and the Council agree that the undertaking shall be implemented in accordance with the following stipulations in order to take into account the effect of the undertaking on historic properties.

STIPULATIONS

The FHWA will ensure that the following measures are carried out in consultation with the Texas SHPO prior to the removal of the US 69/75 bridge at the Red River.

1. TxDOT shall prepare a bridge documentation package in accordance with Historic American Engineering Record (HAER) Level II standards. Unless otherwise agreed to by the National Park Service, the FHWA shall ensure that all documentation is completed and accepted by HAER prior to the removal of the bridge. Copies of the documentation package will be made available to the Texas SHPO, the Oklahoma SHPO, and any appropriate local archives designated by either SHPO.
2. TxDOT, in consultation with the Texas SHPO, shall prepare a journal article on the history of the bridge and the crossing. The article shall be submitted to journals and publications as deemed appropriate by TxDOT and the Texas SHPO.
3. TxDOT shall develop a plan for a Red River Bridge interpretive exhibit to be incorporated into the Texas Travel Information Center located adjacent to the bridge site. The plan shall be submitted to the Texas SHPO for review and comment prior to its implementation. In addition, TxDOT shall apply for an Official Texas Historical Marker to commemorate the 1931 Texas/Oklahoma Red River Bridge controversy. The marker will be placed at an accessible site near the Travel Information Center.
4. Although a formal marketing effort will not be required for this bridge, TxDOT will ensure that local governments are informed of the availability of individual spans of the structure for relocation. In addition, TxDOT shall explore the feasibility of salvaging one of the trusses (or a portion thereof) for use as an exterior walkway at the Travel Information Center.

DISPUTE RESOLUTION

5. In each case where the SHPO must review and/or approve plans or documentation pursuant to this Memorandum of Agreement, the SHPO will have thirty days to approve said plans and/or documentation, or to make an objection. Should no objection be forthcoming within the stated time, the FHWA will assume the SHPO's approval. In the event that the SHPO makes a timely objection to any plans and/or documentation submitted for review and approval, the FHWA shall consult with the SHPO to resolve the objection. If the FHWA determines that the objection cannot be resolved, the FHWA shall forward all documentation relevant to the dispute to the Council. Within 30 days after receipt of all pertinent documentation, the Council will either:

a. Provide the FHWA with recommendations, which the FHWA will take into account in reaching a final decision regarding the dispute; or

b. Notify the FHWA that it will comment pursuant to 36 CFR, Part 800.6(b), and proceed to comment. Any Council comment provided in response to such a request will be taken into account by the FHWA in accordance with 36 CFR, Part 800.6(c) (2) with reference to the subject of the dispute.


Any recommendation or comment provided by the Council will be understood to pertain only to the subject of the dispute; the FHWA's responsibility to carry out all actions under this Memorandum of Agreement (MOA) that are not the subjects of the dispute will remain unchanged.

6. At any time during implementation of the measures stipulated in this agreement, should an objection to any such measure be raised by a member of the public, the FHWA shall take the objection into account and consult as needed with the objecting party, the SHPO, or the Council to resolve the objection.

Execution of this Memorandum of Agreement by the FHWA, the Texas SHPO, and the Council, and implementation of its terms, establish that the FHWA has afforded the Council an opportunity to comment on the bridge replacement on US 69/75 at the Red River in Grayson County, Texas, and its effects upon historic properties, and that the FHWA has taken into account the effects of the undertaking on historic properties.


SIGNATORIES

FEDERAL HIGHWAY ADMINISTRATION

BY: 
Frank M. Mayer
Division Administrator

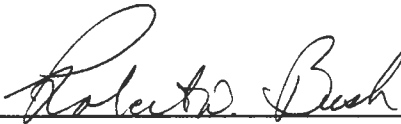
DATE: 8-19-94

TEXAS STATE HISTORIC PRESERVATION OFFICER

BY: 
Curtis Tunnell
Texas State Historic Preservation Officer

DATE: 5-17-94

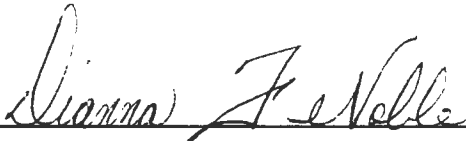
ADVISORY COUNCIL ON HISTORIC PRESERVATION

BY: 

DATE: 7/29/94

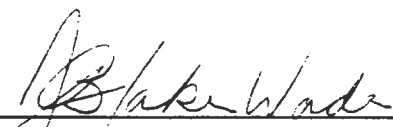
CONCUR:

TEXAS DEPARTMENT OF TRANSPORTATION

BY: 
Dianna F. Noble, P. E.
Director of Environmental Affairs

DATE: 5-11-94

OKLAHOMA STATE HISTORIC PRESERVATION OFFICER

BY: 
J. Blake Wade
Oklahoma State Historic Preservation Officer

DATE: 21 June 94