



# Historical Resources Survey Report

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**Capital Express Central – Intensive-level Survey:**

Mount Calvary Cemetery, East side of 2600-2700 block North Interstate Highway (I-) 35

**Project Name:** I-35 Capital Express Central Project

**Project Limits:** U.S. Highway (US) 290 East to US 290 West/State Highway (SH) 71

**District(s):** Austin

**County(s):** Travis

**CSJ Number(s):** 0015-13-388

**Principal Investigator:** Rick Mitchell and Emily Pettis, Mead & Hunt, Inc.

**Report Completion Date:** October 2022

The environmental review, consultation, and other actions required by applicable Federal environmental laws for this project are being, or have been, carried-out by TxDOT pursuant to 23 U.S.C. 327 and a Memorandum of Understanding dated 12-9-2019, and executed by FHWA and TxDOT.

This historical resources survey report is produced for the purposes of meeting requirements under Section 106 of the National Historic Preservation Act, the Antiquities Code of Texas, and other cultural resource legislation related to environmental clearance as applicable.

## Abstract

The proposed Interstate Highway (I-) 35 Capital Express Central Project is to improve an approximately 8-mile segment of I-35 from U.S. Highway (US) 290 East to US 290 West/State Highway 71. The project Area of Potential Effects (APE) includes the Mount Calvary Cemetery, which was determined eligible for the National Register of Historic Places (NRHP) as a historic district by intensive-level investigations for the I-35 Corridor between Reinli Street (near US 290 East) on the north and the Colorado River on the south, completed in 2004.<sup>1</sup> Based on these previous findings, the Texas Department of Transportation (TxDOT) concluded that intensive-level work would be required to provide a definitive NRHP evaluation. A description of the overall project area and detailed survey results are included in the draft reconnaissance *Historic Resources Survey Report* dated October 2022.

On behalf of the Texas Department of Transportation (TxDOT) Environmental Affairs Division (TxDOT ENV), Mead & Hunt, Inc. (Mead & Hunt) performed an intensive survey in January and February 2022, with research and fieldwork, to provide a definitive reevaluation of NRHP eligibility for the Mount Calvary Cemetery.

Based on the findings of the intensive survey and reevaluation, the Mount Calvary Cemetery is eligible for listing in the NRHP under Criterion A, with application of Criteria Considerations A and D, in the areas of Ethnic Heritage and Social History at the local level of significance. Mount Calvary Cemetery is not eligible for NRHP listing under Criteria B, C, or D.

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<sup>1</sup> HHM, Inc., *Interstate Highway 35 Corridor, Austin, Travis County, Texas, Historic Resources Investigations, Intensive-Level Survey, Segment 3 Study Area: Manor Road to East Thirty-Eight Street* (Prepared for the Texas Department of Transportation, 2004).

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## Project Identification

- Report Completion Date: 10/4/2022
- Date(s) of Fieldwork: 01/14/2022, 02/15/2022
- Survey Type: ☐ Windshield ☐ Reconnaissance ☒ Intensive
- Report Version: ☐ Draft ☒ Final
- Regulatory Jurisdiction: ☒ Federal ☐ State
- TxDOT Contract Number: WA57008SH004
- District or Districts: Austin
- County or Counties: Travis
- Highway or Facility: Interstate Highway (I-) 35
- Project Limits:
  - From: U.S. Highway (US) 290 East
  - To: US 290 West/State Highway (SH) 71
- Main CSJ Number: 0015-13-388
- Report Author(s): Brian Matuk and Rick Mitchell; Mead & Hunt, Inc. (Mead & Hunt)
- Principal Investigators: Rick Mitchell and Emily Pettis, Mead & Hunt
- List of Preparers:

Rick Mitchell – Principal Investigator, co-author of intensive survey report, directed fieldwork and research activities, performed quality control for intensive survey products, prepared National Register of Historic Places (NRHP) evaluation.

Emily Pettis – Principal Investigator, performed quality control for intensive survey products, reviewed NRHP evaluation.

Brian Matuk – co-author of intensive survey report, led intensive-level research, prepared historic context and draft NRHP recommendation.

Lauren Kelly – conducted fieldwork and research; assisted in intensive survey report preparation.

Mackenzie Machuga – conducted fieldwork and research.

Caroline Bruchman – prepared field survey maps, survey report maps, and GIS deliverables.

## Area of Potential Effects (APE)

- ☐ Existing ROW
- ☐ 150' from Proposed ROW and Easements
- ☐ 300' from Proposed ROW and Easements
- ☒ Custom: Mount Calvary Cemetery (East side 2600-2700 block North I-35, Travis Central Appraisal District [TCAD] parcel 203920) (Note: The APE for the I-35 Capital Express Central Project reconnaissance HRSR extends 150 feet beyond the project's Environmental Study Area.)

- **Historic-Age Survey Cut-Off Date:** 1980
- **Study Area** For the I-35 Capital Express Central Project as a whole, the historic resources study area extends 1,300 feet beyond proposed new ROW and easements. Results of the overall study area analysis are available in the project's Historic Resources Research Design and reconnaissance-level Historic Resources Survey Report (HRSR).

For purposes of this intensive survey, the historic resources study area is limited to the Mount Calvary Cemetery property parcel.

## Section 106 Consulting Parties and Stakeholders

- **Public Involvement Outreach Efforts:**

The proposed project includes ongoing focused Section 106 of the National Historic Preservation Act of 1966, as amended (Section 106) public involvement outreach, as well as incorporation of historic resources as part of the National Environmental Policy Act (NEPA) public involvement process. The Texas Department of Transportation (TxDOT) held a virtual Section 106 consulting parties meeting on October 6, 2021, to provide an overview of the project, cultural resources management as part of TxDOT's project development process, consulting party opportunities and roles in the Section 106 process, and upcoming

historic resources survey tasks and schedule. TxDOT posted the draft I-35 Capital Express Central reconnaissance-level HRSR and seven intensive-level HRSRs, including the Mount Calvary intensive-level HRSR, on the project website for public access on May 24, 2022. A Section 106 consulting party meeting was held on June 10, 2022, to gather comments and questions. TxDOT will involve consulting parties throughout the Section 106 process, including review of the findings of historic resources investigations and potential mitigation activities. Additional Information on Section 106-focused public involvement efforts for the I-35 Capital Express Central Project is described in the reconnaissance-level HRSR.

▪ **Identification of Section 106 Consulting Parties and Stakeholders:**

TxDOT identified 28 potential consulting parties for the I-35 Capital Express Central Project. Of the consulting parties, the following groups were determined to be the most likely to have interest in Mount Calvary Cemetery based on geographic location and/or historical associations:

- Texas Historical Commission (THC)
- Travis County Historical Commission
- Preservation Austin
- Preservation Texas
- City of Austin Historic Landmark Commission/Historic Preservation Office
- Mount Calvary Cemetery (via Assumption Cemetery Director, who is responsible for management of both cemeteries)
- Saint Mary's Cathedral

During preparation of the draft Mount Calvary intensive HRSR, TxDOT identified and contacted additional stakeholders that were invited to participate as Section 106 consulting parties:

- Ted Lee Eubanks, a Saint Mary's parishioner with extensive knowledge of local Catholic history and an interest in Mount Calvary Cemetery.
- Catholic Archives of Texas (Selena Aleman, archivist)
- Catholic Diocese of Austin (Olivia Herschel, diocesan archivist)

▪ **Section 106 Review Efforts:**

As noted above, TxDOT held a Section 106 consulting party meeting on October 6, 2021, to provide an overview of the project, cultural resources management as part of TxDOT's project development process, consulting party opportunities and roles in the Section 106 process, and upcoming historic resources survey tasks and schedule. On December 6, 2021, TxDOT updated consulting parties on the in-progress cultural resources investigations via email. TxDOT provided another update and outlined upcoming steps in the Section 106 process via email on February 2, 2022. In this email, TxDOT reminded consulting parties of the opportunity to provide input on potentially historic resources in the project APE. Mead &

Hunt contacted several consulting parties to request additional information in the course of developing the draft HRSR. These included:

- City of Austin Historic Landmark Commission/Historic Preservation Office
- City of Austin Parks and Recreation Department, Historic Preservation and Tourism
- Preservation Austin
- THC
- Assumption Chapel Mausoleum and Cemetery
- Saint Mary's Cathedral/Ted Eubanks

TxDOT initiated formal review of the draft I-35 Capital Express Central reconnaissance-level HRSR and seven intensive-level HRSRs on May 24, 2022. The HRSRs were posted to the project website. Consulting parties were notified and invited to send comments and questions via email to the TxDOT project historian. A Section 106 consulting party meeting was held on June 10, 2022, to gather comments and questions. Section 106 consulting parties were also invited to request individual meetings with the TxDOT project historian if desired.

On June 7, 2022, THC historian/project reviewer Justin Kockritz provided TxDOT with a set of preliminary comments and questions regarding Mount Calvary Cemetery. At the June 10, 2022, consulting parties meeting, THC and Ted Eubanks of the Saint Mary's congregation both raised objections to the draft intensive HRSR finding that Mount Calvary Cemetery was not eligible for listing in the NRHP. They requested TxDOT re-examine the property's significance and NRHP eligibility. Eubanks sent TxDOT a document with extensive additional historical information in late June 2022 and followed up with additional information in July 2022. He remained in contact with TxDOT and THC through August 2022 to assist in answering remaining questions.

On July 6, 2022, Kockritz sent TxDOT additional reference information on THC's past application of the NRHP criteria for eligibility to cemeteries. On July 20, 2022, THC, TxDOT, and Mead & Hunt held a meeting to specifically discuss Mount Calvary Cemetery. The information discussed at the meeting, along with the additional documentation provided by Eubanks and Kockritz, was valuable in re-evaluating the cemetery's NRHP eligibility.

TxDOT will continue to involve consulting parties throughout the Section 106 process. A meeting to discuss potential mitigation activities will be held in October 2022. Results of this meeting, including additional consulting party comments related to Mount Calvary Cemetery, will be included in the final I-35 Capital Express Central reconnaissance-level HRSR.

On July 25, 2022, TxDOT contacted representatives of St. Edward's University and Assumption Cemetery via email in an effort to answer questions brought up by the other Section 106 consulting parties. St. Edward's University directed TxDOT to the Catholic Cemetery Association of Austin, who operates Assumption Cemetery and Mount Calvary



Cemetery. On August 11, 2022, the manager of Assumption Cemetery replied that there would be no further response to TxDOT on instruction from legal counsel.

## **Project Setting/Study Area**

### **■ Study Area**

The overall historic resources study area for the I-35 Capital Express Central Project extends 1,300 feet beyond maximum proposed ROW. For the purposes of this intensive survey, the study area is confined to the boundaries of Mount Calvary Cemetery, and comprises TCAD parcel 203920, which contains approximately 10 acres.

### **■ Previously Evaluated Historic Resources**

Mount Calvary Cemetery was determined eligible for the NRHP under Criterion A as Mount Calvary Historic District in 2004 by TxDOT as part of the Interstate Highway 35 Corridor Survey.<sup>2</sup>

### **■ Previously Designated Historic Properties**

There are no previously designated historic properties on this property.

### **■ Previously Designated Historic Districts**

There are no previously designated historic districts on this property.

### **■ Historic Land Use**

Prior to St. Mary's purchase of the land for Mount Calvary Cemetery, the parcel was owned by C.R. Johns & Co. However, research did not identify use of this land under this, or any prior owner. For a few decades following the cemetery's establishment in 1879, the surrounding area remained fairly rural, according to late-nineteenth-century U.S. Geological Survey (USGS) topographic maps. Until the early twentieth century, this area remained northeast of Austin's core development. According to Sanborn maps from 1900, 1921, and 1935, and a USGS topographic map from 1954, the city's development expanded northward during the first half of the twentieth century, with mainly residential properties developing on open parcels around the cemetery. The growth of the University of Texas at Austin (UT), located to the west of Mount Calvary Cemetery, expanded eastward in the 1980s to the parcels to the south and east of the cemetery.

### **■ Current Land Use and Environment**

Mount Calvary Cemetery is currently owned and managed by the Assumption Cemetery and Mausoleum, a Catholic cemetery in Austin south of the Colorado River. The surrounding land

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<sup>2</sup> HHM, Inc., *Interstate Highway 35 Corridor, Austin, Travis County, Texas, Historic Resources Investigations, Intensive-Level Survey, Segment 3 Study Area: Manor Road to East Thirty-Eight Street*.

mainly consists of non-historic University of Texas at Austin fleet support and sports facilities to the south and immediately to the east. Residential neighborhoods are located to the north of East Dean Keeton Street and southeast of the intersection of Manor Road and Leona Street. The immediate setting of Mount Calvary Cemetery is dominated by the dual-level I-35 highway, located along the west side of the cemetery parcel.

- **Historic Period(s) and Property Types**

The subject property is an 1879 Catholic cemetery that continues to serve this function. Major monuments constructed in the cemetery were erected in 1916, and a brick restroom building, which now appears to serve as storage, was constructed in 1935. The main entrance to the cemetery has been altered over time, with the current brick piers and signage from c.1960.

- **Integrity of Historic Setting**

The integrity of the historic setting is diminished by commercial and transportation-related development adjacent to the property after 1953, the end date of Mount Calvary Cemetery's period of significance. This development includes the conversion of East Avenue to I-35 along the cemetery's western boundary in the early 1950s, construction of the elevated upper deck of I-35 in 1973, and extension of East 26<sup>th</sup> Street (now Dean Keeton Street) from I-35 to Manor Road in the late 1970s. Additionally, the properties that surround the cemetery to the east and south have been built-up in the 1980s with utilitarian buildings and structures associated with the University of Texas at Austin, further changing the setting of the cemetery from its original setting of a semi-rural residential area at the outskirts of the city. Detailed integrity information is provided in the NRHP Eligibility Recommendations section below.

## **Survey Methods**

- **Methodological Description**

The intensive survey is in compliance with TxDOT's latest Environmental Toolkit Standards and Historical Studies guidance. A reconnaissance-level survey has been performed for the full project corridor between US 290 East and US 290 West/SH 71. This intensive-level investigation focused on clarifying the NRHP eligibility of Mount Calvary Cemetery on the east side of the 2600-2700 block of North I-35. This property is located in East Austin and on the east side of I-35 between Manor Road and East Dean Keeton Street. Maps are provided in Appendix D. Historic-age resources were identified using available historic maps, atlases, and aerials in combination with field observations. The property was evaluated for potential NRHP eligibility applying appropriate regional and thematic contexts. The historic context was developed using primary and secondary source material.

On behalf of TxDOT ENV, Mead & Hunt performed an intensive survey of Mount Calvary Cemetery in January and February 2022. Field survey for the property included detailed photography and fieldnotes recorded electronically on tablets. Mead & Hunt was able to obtain right of entry to the property. Survey photographs and field data were used to produce an inventory form for the historic-age resource (see Appendix C).

- **Comments on Methods**

Investigations include one non-archeological cultural resources intensive survey, including photographic documentation and research. Findings of the intensive survey are compiled into this HRSR completed in accordance with TxDOT's *Documentation Standard: Historical Resources Survey Report*.

## **Survey Results**

- **Project Area Description**

Two alternatives are currently under consideration for the proposed improvements: Alternative 2 and Modified Alternative 3. Under both alternatives, proposed improvements include removing the existing I-35 upper decks, lowering the roadway, and adding two non-tolled high-occupancy-vehicle managed lanes in each direction from US 290 East to SH 71/Ben White Boulevard. Both alternatives would reconstruct frontage roads, ramps, intersections, and east-west cross-street bridges. Shared-use (pedestrian and bicycle) paths would be added along the corridor. Under Alternative 2, additional flyovers would be constructed at the I-35 and US 290 East interchange. Under both alternatives, additional ROW acquisition would be required intermittently along areas throughout the corridor. In most areas, the proposed new ROW would not extend past the first tier of parcels adjacent to the existing I-35 ROW. Design files for both alternatives are available on the project website ([www.my35capex.com](http://www.my35capex.com)). Parcels adjacent to the I-35 ROW include a mix of historic-age and non-historic-age commercial, institutional, and high-density multi-family residential resources. Several parks, cemeteries, and sports and entertainment stadiums/arenas are also present. Beyond the first tier of parcels, the APE surveyed for the project's reconnaissance HRSR includes a wider mix of resources, including established single-family residential neighborhoods, a wide range of commercial properties, governmental buildings, and educational properties.

This intensive survey focuses only on Mount Calvary Cemetery, located in East Austin. As noted above, Mount Calvary Cemetery encompasses an area bound to the west by the I-35 northbound frontage road, to the north by Youngquist Drive, and to the east and south by internal private roads operated by UT. Mount Calvary Cemetery continues in use as a Catholic cemetery.

## ■ Literature Review

Mead & Hunt consulted a range of primary and secondary sources to develop the historic context and reevaluate the subject property for NRHP eligibility. Below is a general description of sources used and how each informed the intensive survey. Individual resources are also identified in the References Cited section.

National Register bulletins formed a foundation for understanding cemetery typology and evaluative frameworks, particularly in application of National Register criteria and criteria considerations:

- *How to Apply the National Register Criteria for Evaluation* (National Register Bulletin 15).
- *Guidelines for Evaluating and Registering Cemeteries and Burial Places* (National Register Bulletin 41).

The following secondary sources provided both general background information on the study area and property-specific information for the historic context:

- Entries from the *Handbook of Texas Online*.
- Historic contexts on the city of Austin and I-35 previously prepared by Hardy-Heck-Moore, Inc. (HHM, Inc.):
  - Interstate Highway 35 Corridor Historic Resource Investigations, 2004
  - City of Austin Historic Resources Survey, 2016

The following historic mapping and aerial imagery sources obtained online were used to trace development patterns and land uses in the study area:

- Historic and current aerial imagery obtained through [Historicaerials.com](http://Historicaerials.com), Google Earth, and U.S. Geological Survey (USGS) Earth Explorer.
- General Land Office Maps of Travis County available through the Portal to Texas History.
- USGS topographic maps of Austin available through USGS TopoView.
- Current property parcel data available online from TCAD.
- Historic Sanborn maps obtained through the University of Texas at Austin, Perry-Castañeda Library Map Collection and the Library of Congress.
- Bird's-eye maps from the Perry-Castañeda Library Map Collection and the Texas Historic Map Overlay.

Several sources provided contextual and evaluative background for cemeteries in Austin and elsewhere in Texas:

- City of Austin Historic Cemeteries Master Plan.
- NRHP Nomination Forms for: Texas State Cemetery (Austin); Oakwood Cemetery/City Cemetery (Austin); Oakwood Cemetery Annex (Austin); Brownsville City Cemetery and Hebrew Cemetery; Broadway Cemetery (Galveston); Old San Antonio Cemeteries Historic District; Oakwood Cemetery (Fort Worth); Bayview Cemetery (Corpus Christi); Woodlawn Garden of Memories Cemetery (Houston); Matagorda Cemetery; and Llano Cemetery (Amarillo).
- Section 106-related NRHP evaluations for Austin Memorial Park and for several Hispanic cemeteries along US 281 (Military Highway) in Cameron County, Texas.

Property-specific primary source materials were obtained online, at the Austin History Center, and at the Archives of the Diocese of Austin. These materials were used along with other sources to develop a historic overview of the development of Mount Calvary Cemetery. These sources included the following:

- Historic photos of Mount Calvary Cemetery available at the Austin History Center.
- Issues of the *Austin American-Statesman* and *Austin American* available through Newspapers.com.
- Original plans, administrative receipts, and burial plot receipts from the Archives of the Diocese of Austin.

Kenneth Jackson's *Silent Cities: The Evolution of the American Cemetery* and Keith Eggenger's *Cemeteries* offered valuable contextual and typological information on cemeteries at a national scale. Terry Jordan's *Texas Graveyards: A Cultural Legacy* provided similar information at a statewide level, differentiating among ethnic groups and across time periods.

Ted Eubanks compiled considerable historical information and photographs on Mount Calvary Cemetery and provided his findings in a report to TxDOT in June with additional information provided in July 2022. Eubanks provided a unique perspective as a Saint Mary's Cathedral parishioner, professional heritage interpretive planner, and Section 106 consulting party for the I-35 Capital Express Central project.

## Historical Context Statement

St. Mary's Catholic Church was Austin's first Catholic parish that began practicing in the area as early as 1852 under its original name, St. Patrick's.<sup>3</sup> The parish operated in the city's first Catholic church at Brazos Street and East 9<sup>th</sup> Street, completed in 1855 (nonextant).<sup>4</sup> In 1864 the St. Patrick's parish renamed itself St. Mary's of the Immaculate Conception (often shortened to St. Mary's), and in 1875 St. Mary's began constructing a new church at the southeast corner of Brazos Street and East 10<sup>th</sup> Street, which was completed in 1884.<sup>5</sup> The church was later named as the cathedral of the Diocese of Austin.

During construction of the congregation's new church, St. Mary's established Mount Calvary Cemetery in 1879, under pastor Rev. Daniel J. Spillard. Although not confirmed, it is likely the parish founded Mount Calvary Cemetery to have a designated space for burying Austinites of the Catholic faith on consecrated grounds—as is common among many faiths—and at a time of growth for the St. Mary's parish. A lay historian with St. Mary's Cathedral suggested that Catholics in Austin likely buried their deceased in the City Cemetery prior to the establishment of Mount Calvary Cemetery.

The *City of Austin Historic Cemeteries Master Plan* provides some context on typical burial practices in the area earlier in the nineteenth century:

In those days, in the American South, most people were buried in family burial grounds or community cemeteries. It was not uncommon for a town like Austin to establish a public cemetery, not associated with a church or necessarily considered “sanctified” religious space. Like the City Cemetery, most were sited on hilltops or high on hillsides, away from the very real possibility of flooding; such an elevated location also would have been considered closer to heaven.<sup>6</sup>

Rev. Spillard purchased the 7-acre property for \$32 per acre from C.R. Johns & Company in March 1879.<sup>7</sup> The property was described as being “northeast of the reservoir” and included part of Newton's Pond in the northeast corner; the pond was centered near present-day East Dean Keeton Street and the ramps to the I-35 northbound frontage road.<sup>8</sup> Once established, Mount Calvary became the third cemetery within Austin city limits at the

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<sup>3</sup> *One Hundred Years* (Austin, Tex.: Best Printing Company, 1953).

<sup>4</sup> “St. Mary's Goes Back To Early State Days,” *The Austin American*, August 12, 1956.

<sup>5</sup> “St. Mary's Goes Back To Early State Days.”

<sup>6</sup> Amatterra Environmental, Inc., *City of Austin Historic Cemeteries Master Plan* (Prepared for the City of Austin, Texas Parks and Recreation Department, August 2015), 80.

<sup>7</sup> “Abstract of Title, 7 Acres out of Western Part of Lot No. 27 in Division C,” 1871, Mt. Calvary Cemetery, 1871-1930, St. Mary Cathedral records, Archives of the Diocese of Austin (Box 1 Folder 20), Archdiocese of Austin.

<sup>8</sup> “Abstract of Title, 7 Acres out of Western Part of Lot No. 27 in Division C”; “Local Matters,” *Austin American-Statesman*, April 4, 1879. The referenced reservoir could not be identified through research.



time, after the Texas State Cemetery (1851) and the City Cemetery (now known as Oakwood Cemetery, 1856). Research suggests that Mount Calvary served as Austin's first Catholic cemetery independent of a place of worship or other Catholic institutional buildings (see Figure 1).

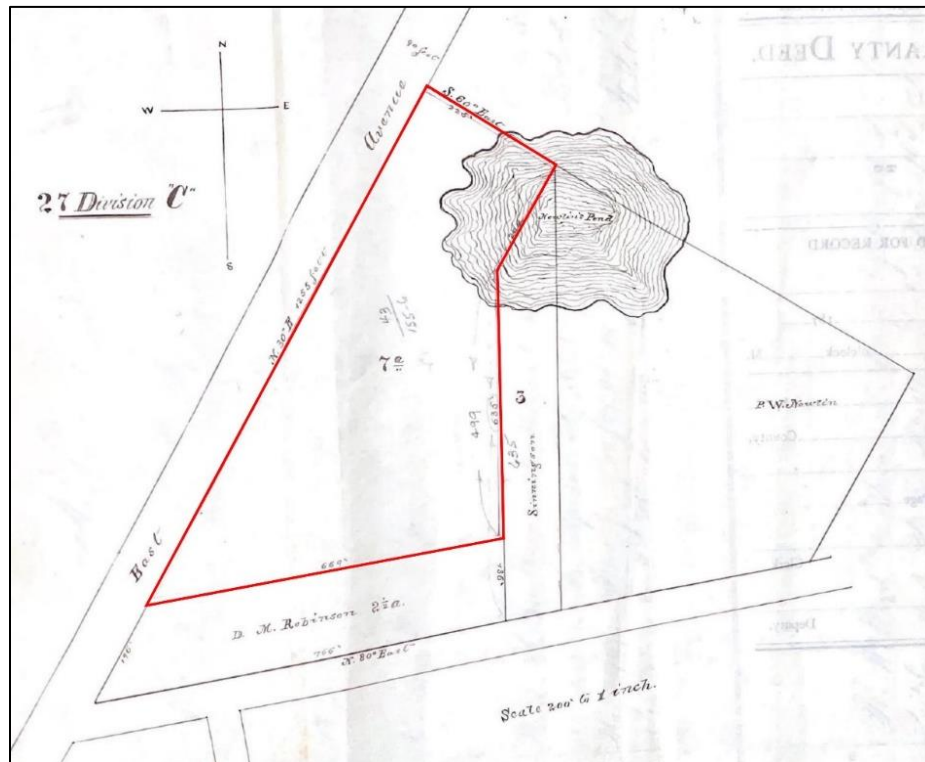


Figure 1. 1871 map of land St. Mary's purchased for use as the Mount Calvary Cemetery, that accompanied the title. The property is outlined in red.<sup>9</sup>

A hand-drawn plan for the cemetery's design suggests that it was originally conceptualized with a four-quadrant layout, demarcated by a cross-shaped configuration of main pathways with smaller pathways set in a grid throughout each quadrant (see Figure 2). It is not clear if this design was carried out and later altered to its current configuration.<sup>10</sup> The quadrants were originally identified by the names of the four Evangelists (authors of the Bible's Gospels according to Christian tradition): St. Luke's Division, St. Matthew's Division, St. John's Division, and St. Mark's Division.<sup>11</sup>

Through an Austin History Center (AHC) interview conducted in 1964, Violet Walsh—wife of former Mount Calvary Cemetery caretaker Charles Walsh—stated that the oldest grave in the cemetery was that of Francis Kelly. Kelly died in 1861, and Walsh discussed that his grave

<sup>9</sup> "Abstract of Title, 7 Acres out of Western Part of Lot No. 27 in Division C."

<sup>10</sup> "Plan of Mount Calvary Cemetery," n.d., Mt. Calvary Cemetery, 1871-1930, St. Mary Cathedral records, Archives of the Diocese of Austin (Box 1 Folder 20), Archdiocese of Austin.

<sup>11</sup> "Receipt Book, Mt. Calvary Cemetery, 1884-1905," 1905 1884, Mt. Calvary Cemetery, 1884, St. Mary Cathedral records, Archives of the Diocese of Austin (Box 1 Folder 16), Archdiocese of Austin.

was moved to the cemetery upon its opening.<sup>12</sup> While the specifics of the relocation of Kelly's remains could not be confirmed during research, his grave is extant at Mount Calvary Cemetery, and the inscription on the grave marker shows his death date preceding the cemetery's opening by 18 years.<sup>13</sup> The first burial at Mount Calvary was for Anna Carroll in 1878.<sup>14</sup>

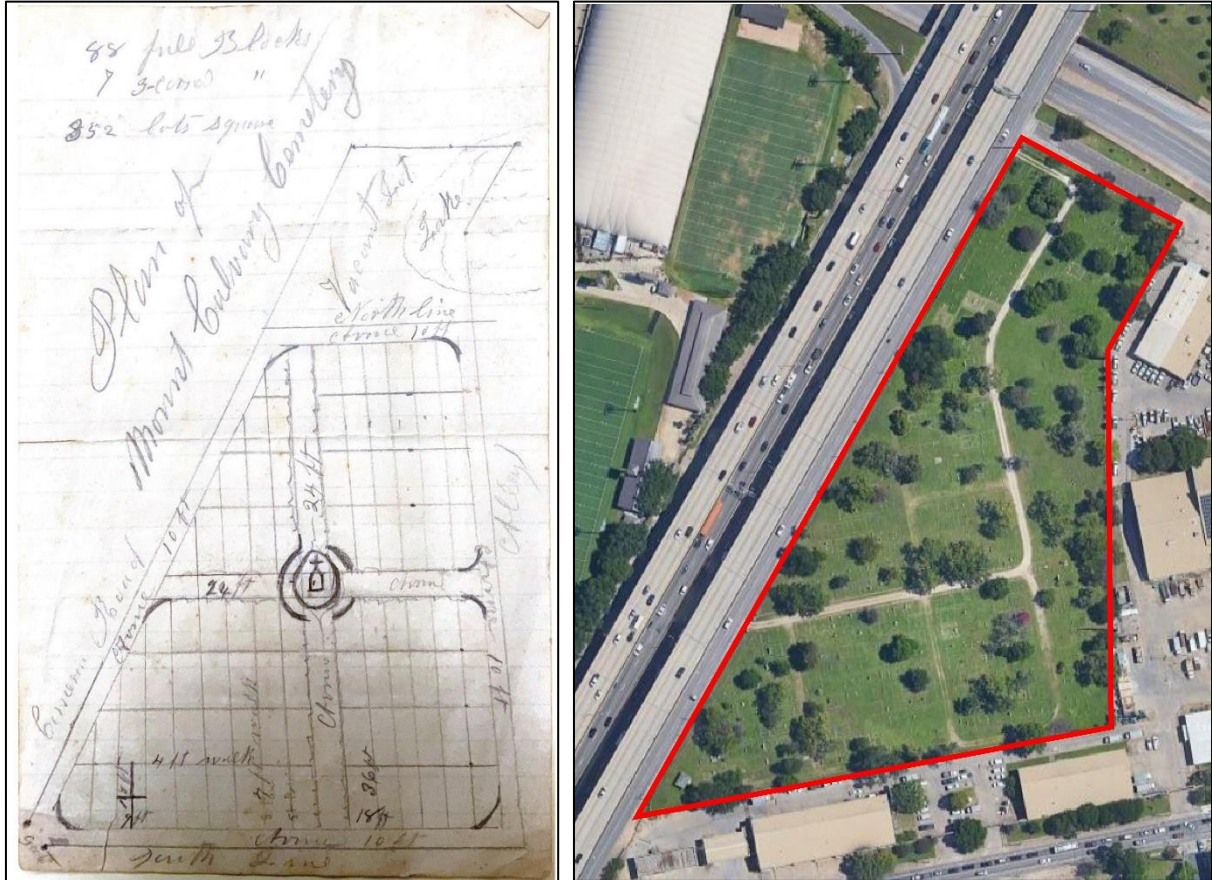


Figure 2. Hand-drawn plan of Mount Calvary Cemetery showing the original concept (left). It is not clear if this design was carried out and later altered to its current configuration (right).<sup>15</sup>

St. Mary's Church was the only Catholic church in Austin until 1907, when Our Lady of Guadalupe opened to serve the area's Mexican American Catholics. In 1908 St. Austin's became Austin's third Catholic parish.<sup>16</sup> As additional Catholic parishes were established, Mount Calvary served as the burial place for Catholics of numerous ethnicities and nationalities. Maronite Catholics of Lebanese and Syrian ancestry, lacking a local parish or cemetery, also used Mount Calvary Cemetery for burials.

<sup>12</sup> "Interview with Mrs. Charles Walsh (Violet)," 1964, AF - CEMETERIES, C2100(68), Austin History Center.

<sup>13</sup> "Francis Kelly (1817-1861) - Find A Grave Memorial," n.d., <https://www.findagrave.com/memorial/80656933/francis-kelly>.

<sup>14</sup> Ted Lee Eubanks, "Re: Mount Calvary Cemetery History Questions," August 15, 2022.

<sup>15</sup> "Plan of Mount Calvary Cemetery."

<sup>16</sup> Eubanks, "Re: Mount Calvary Cemetery History Questions."



In 1914 the Austin City Council discussed concerns over the dwindling space at the Oakwood Cemetery, the city's primary municipal cemetery.<sup>17</sup> As reported by the *Austin Daily Statesman*, the City Council and St. Mary's Parish agreed to alleviate this issue by allowing Roman Catholic paupers to be buried at Mount Calvary Cemetery, when they were previously buried in the City Cemetery (now Oakwood Cemetery) at the city's expense.<sup>18</sup> With this agreement between St. Mary's and the city council, the city would incur the same cost as burying paupers in the municipal cemetery, and the church would cover a "\$1 conveyance charge" to transfer the body the extra distance to Mount Calvary, which was slightly farther from the city center than Oakwood Cemetery.<sup>19</sup>

In 1916 St. Mary's worked to modify portions of the cemetery, in part to honor its late chaplain Rev. Father W. J. Marr, who died in March of that year.<sup>20</sup> This may have been the first major change to the cemetery since its founding 37 years prior and appears limited to a small area at the eastern end of the cemetery's main drive. The work consisted of a grave for Marr marked by a large Texas granite cross designed by local architect Watkins Harris, behind which a circular mound was constructed to accommodate an 18-foot bronze crucifix.<sup>21</sup> Notes held at the AHC suggest that a replica of Mount Calvary, a religious site, was constructed in the same area as this statuary, and that the circular mound was later cut to accommodate more gravesites; however, dates of these two changes could not be identified.<sup>22</sup> This area was meant to serve as both a focal point for the cemetery, as well as a primary spot for oration and services held in the cemetery.<sup>23</sup>

The cemetery originally did not include a fence surrounding it. According to a history of St. Mary's Cathedral, a fence was first constructed after a baseball hit from a nearby game damaged a grave of a former Austin City Councilman; however, the history does not provide a date for this event.<sup>24</sup> The type of fence at that time could not be identified through research, but a 1926 classified advertisement in *The Austin American* offered "about two thousand pickets" of fencing for sale at the cemetery, perhaps suggesting a wood fence existed at some point prior to that time.<sup>25</sup>

In the early 1930s the cemetery underwent alterations to its landscape. According to a receipt for concrete services, St. Mary's contracted for the cemetery's main drive and

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<sup>17</sup> "Catholic Paupers To Be Buried At Mt. Calvary," *Austin American-Statesman*, January 7, 1914.

<sup>18</sup> "Catholic Paupers To Be Buried At Mt. Calvary."

<sup>19</sup> "Catholic Paupers To Be Buried At Mt. Calvary."

<sup>20</sup> "Monument Will Be Erected In Memory Of Rev. Father Marr," *The Austin American*, October 10, 1916.

<sup>21</sup> "Monument Will Be Erected In Memory Of Rev. Father Marr."

<sup>22</sup> "[Untitled Notes]," 1998, AF - Cemeteries, C2100(68), Austin History Center.

<sup>23</sup> *One Hundred Years*.

<sup>24</sup> Mary Starr Barkley, *Saint Mary's Cathedral, Austin, Texas, 1874-1974* (Austin, Tex.: Diocese of Austin, n.d.), 11.

<sup>25</sup> "For Sale--Miscellan'us," *The Austin American*, January 6, 1926.

walkway to be paved in concrete, and “side streets” graded.<sup>26</sup> Although not confirmed, these side streets likely refer to the pathways surrounding the cemetery, as shown in the original plans. There are currently no concrete paved areas of the main drive or walkways. In 1931 a brick restroom building was constructed at the southwestern corner of the cemetery at a cost of \$654.<sup>27</sup> The restroom, now apparently used as storage, is the only extant building on the property, and research did not uncover any other buildings constructed in the cemetery through its history.

In 1944 St. Mary’s attempted to purchase three adjoining parcels to the east to expand the cemetery. This proposition was vehemently opposed by nearby property owners, who did not want to live any closer to the cemetery, with the City of Austin expressing concern about enlarging any cemetery within the city limits.<sup>28</sup> A compromise was proposed by the city council that would require St. Mary’s to purchase an adjoining fourth parcel and construct a street through to further remove the adjacent residences from the expanded cemetery; however, this was never carried out.<sup>29</sup> As such, the cemetery did not ultimately expand eastward.

With Austin’s rapid growth following World War II, the need for additional cemetery space became more pronounced. In 1953 the non-profit Catholic Cemetery Association of Austin opened the 80-acre Assumption Cemetery along I-35 in South Austin near St. Edward’s University, to “fill a pressing need for a new Catholic cemetery in the Capital City.”<sup>30</sup> Assumption Cemetery expanded the small St. Edward’s Cemetery operated by the Brothers of the Holy Cross and was billed as blending traditional and modern cemetery design elements, with landscaping, an underground sprinkler system, and winding curvilinear drives. While burials continued at Mount Calvary Cemetery, Assumption quickly became the primary cemetery for Austin-area Catholics.

The setting of Mount Calvary Cemetery underwent substantial changes in 1952 with the construction of the Interregional Highway (US 81, now I-35) along the ROW of East Avenue, the street bordering the cemetery to the west. While none of the cemetery was subject to acquisition for this project, the new highway introduced both visual and auditory changes to the cemetery. These changes were furthered when the highway was upgraded to an Interstate Highway in the early 1960s, with construction of elevated lanes in the 1970s.

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<sup>26</sup> “Administrative Receipt Book,” n.d., Mt. Calvary Cemetery, 1871-1930, St. Mary Cathedral records, Archives of the Diocese of Austin (Box 1 Folder 20), Archdiocese of Austin.

<sup>27</sup> “Building Passes Million and Half,” *Austin American-Statesman*, July 26, 1931.

<sup>28</sup> “Mt. Calvary Compromise Is Pushed,” *Austin American-Statesman*, March 16, 1944; “Council To Discuss Cemetery Expansion,” *Austin American-Statesman*, March 15, 1944.

<sup>29</sup> “Mt. Calvary Compromise Is Pushed.”

<sup>30</sup> “New Austin Catholic Cemetery Will Be Opened on August 15,” *Austin American-Statesman*, August 2, 1953, sec. B, 7.

In September 1967 the *Austin American-Statesman* reported that a tornado touched down in Mount Calvary Cemetery as part of the larger Hurricane Beulah weather event; however, the newspaper did not cover the level of sustained damage.<sup>31</sup>

Modifications to neighboring properties occurred in the 1980s, when UT purchased residential and commercial parcels adjacent to the cemetery to expand the campus with satellite buildings.<sup>32</sup> Today, these properties operate as university facilities and fleet management, and surround the cemetery at the north, east, and south.

The cemetery underwent additional changes that could not be dated through research. These are listed below:

- Changes to the entrance include replacement of a previous metal segmental arch sign over the main entrance with the current rectilinear metal sign with wrought iron and cross ornament. The previous sign is evident in a c.1950 photograph, which appears to be similar in overall material and appearance, but with a different shape.<sup>33</sup> Additionally, four brick pillars were constructed, two on either side of the drive at the cemetery entrance.
- The cemetery currently exhibits an 11-section plan, which deviates from the original four-quadrant layout which was subsumed by the new delineations.
- The cemetery is surrounded by a chain link fence with areas of concrete masonry unit walls and metal bar fencing.
- As shown in the original plan for the cemetery, the northern portion of the parcel was originally left vacant due to the location of Newton's Pond. This area eventually served for an expansion of the cemetery's available plots after the pond was filled in. The date the pond was infilled could not be determined through research.

### **Ethnic Groups and Notable Individuals**

Individuals from an array of nationalities and ethnic groups are buried at Mount Calvary Cemetery. These individuals include first-generation immigrants that came to Austin as the city rapidly grew after the arrival of railroads in the 1870s. Local researchers identified at least 17 nationalities and ethnicities in addition to native-born Americans represented at the cemetery. Mexicans, Germans, Irish, Lebanese, Syrians, and Italians are among the most common nationalities found among immigrant burials at Mount Calvary. While the immigrants were disparate in terms of languages and cultures, they were linked together as

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<sup>31</sup> "Tornadoes Add Woe," *Austin American-Statesman*, September 20, 1967.

<sup>32</sup> Kerry Gunnels, "Sites Across I-35 Sought by UT, Landowners Say," *Austin American-Statesman*, June 10, 1982.

<sup>33</sup> "Mt. Calvary," n.d., AF-CEMETERIES C2100(68), Austin History Center.

part of Austin's Catholic and Maronite communities. Later descendants of these immigrants were also buried in Mount Calvary's family plots.

Some of the prominent individuals buried in Mount Calvary Cemetery are:

- Michael Boland (1838-1890) – Austin alderman
- Michael Butler (1842-1909) – Irish immigrant, founder of Butler Brick Company, leading regional brick manufacturer
- John Francis Butler (1879-1964), Thomas James Butler (1885-1973) – successors to Michael Butler in operation of the Butler Brick Company
- Carlos E. Castañeda (1896-1958) – Mexican immigrant, University of Texas history professor
- Sylvester V. Dooley (1852-1911) – Irish immigrant, hardware store owner in Austin and Round Rock; along with wife Ludie, prominent donors to Austin's Seton Infirmary (later Seton Hospital)
- Joseph Fischer (1826-1889) and son Francis Fischer (1858-1929) – German immigrants, stonemasons and general contractors involved in the construction of many Austin-area landmark buildings
- Carlo Franzetti (1867-1916) and Angelo Franzetti (1878-1931) – Italian immigrants, East Austin grocers
- William Hamby (1844-1915) – Texas state representative, editor of *Austin Daily Statesman*, bank president
- Cater Joseph (1872-1947) – Lebanese immigrant, prominent Austin merchant/businessman
- Rev. Fr. William Joseph Marr (1872-1916) – St. Mary's Church parish priest
- A.F. Martin (1856-1950) – founder and president of Austin White Lime Company
- Herbert R. Nassour, Jr. (1917-2002) – physician noted for expanding health care to the poor and marginalized
- Charles Shurr (1857-1913) – general contractor

- Anton Stasswender (1886-1954) – German immigrant, stonemason, craftsperson
- Sebron G. Sneed, Jr. (1836-1894) – attorney, educator, superintendent of Travis County public schools
- Bride N. Taylor (1858-1937) – author, teacher, civic leader<sup>34</sup>

Catholic orders prominent in Austin’s development also have dedicated plots for burials:

- Daughters of Charity of St. Vincent de Paul – opened the Seton Infirmary in 1902, which is now one of Central Texas’s major hospital networks. Several nuns that came to Austin to establish and grow the infirmary are buried in the cemetery.
- Holy Cross Sisters – operated Saint Mary’s Academy, a school for girls, starting in 1874. Several nuns from the academy’s early days are buried in the cemetery.<sup>35</sup>

### **Cemetery Design Philosophies and Trends**

The following contextual information on cemetery design philosophies and trends is provided for both secular or municipal cemeteries and Catholic cemeteries established around the late nineteenth century.

According to the NRHP bulletin *Guidelines for Evaluating and Registering Cemeteries and Burial Places*, American cemetery design was largely influenced by the “Rural” Cemetery Movement:

The "rural" cemetery movement, influenced by European trends in gardening and landscape design, in turn had a major impact on American landscape design. Early in the 19th century, the prevailing tradition was the romantic style of landscape gardening which in the previous century the English nobility and their gardeners had invented using classical landscape paintings as their models. English garden designers such as Lancelot "Capability" Brown, William Kent, Sir Uvedale Price, Humphrey Repton and John Claudius Loudon artfully improved vast country estates according to varying aesthetic theories. To achieve naturalistic effects, gracefully curving pathways and watercourses were adapted to rolling land forms. Contrast and variation were employed in the massing of trees and plants as well as the arrangement of ornamental features. The "picturesque" mode of 18th century landscaping was characterized by open meadows of irregular outline, uneven stands of trees, naturalistic lakes, accents of specimen plants and, here and there, incidental objects such as an antique statue or urn on a pedestal to lend interest and variety to the scene.

The "rural" cemeteries laid out by horticulturists in Boston, Philadelphia, Baltimore, and New York in the 1830s were romantic pastoral landscapes of the picturesque type.

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<sup>34</sup> Ted Lee Eubanks, *Mount Calvary Cemetery: A Response to a Texas Highway Department Historical Resources Report on Mount Calvary Cemetery*, July 2022.

<sup>35</sup> Eubanks, *Mount Calvary Cemetery: A Response to a Texas Highway Department Historical Resources Report on Mount Calvary Cemetery*.

Planned as serene and spacious grounds where the combination of nature and monuments would be spiritually uplifting, they came to be looked on as public parks, places of respite and recreation acclaimed for their beauty and usefulness to society. In the early "rural" cemeteries and in those which followed their pattern, hilly, wooded sites were enhanced by grading, selective thinning of trees, and massing of plant materials which directed views opening onto broad vistas. The cemetery gateway established separation from the workaday world, and a winding drive of gradual ascent slowed progress to a stately pace. Such settings stirred an appreciation of nature and a sense of the continuity of life. By their example, the popular new cemeteries started a movement for urban parks that was encouraged by the writings of Andrew Jackson Downing and the pioneering work of other advocates of "picturesque" landscaping, most particularly Calvert Vaux and Frederick Law Olmsted, who collaborated in the design of New York City's Central Park.

With the rapid growth of urban centers later in the 19th century, landscape design and city planning merged in the work of Frederick Law Olmsted, the country's leading designer of urban parks. Olmsted and his partners were influential in reviving planning on a grand scale in the parkways they created to connect units of municipal park systems. Although Olmsted was more closely tied to the naturalistic style of landscape planning, his firm's work with Daniel H. Burnham in laying out grounds for the World's Columbian Exposition of 1893 in Chicago conformed to the classical principles of strong axial organization and bilateral symmetry. The central unifying element of the imposing exposition building group was a lengthy concourse, a lagoon, terminated by sculptural focal points at either end. Following the Chicago World's Fair, civic planning was based for some time on a formal, monumental vision of "the City Beautiful."

The historic relationship of cemetery and municipal park planning in America is well documented in *Park and Cemetery*, one of the earliest professional journals in the field of landscape architecture. Inaugurated in Chicago in 1891 and briefly published as *The Modern Cemetery*, a title that was resumed in 1933, the journal chronicles the growth of an industry and indicates the developing professionalism within related fields. For example, the Association of American Cemetery Superintendents was organized in 1887. Cemetery superintendents and urban park officials held a common interest in matters of design as well as horticulture and practical groundskeeping.

The tradition of naturalistic landscape design that was developed by Olmsted and his followers continued into the 20th century. Widely influential was the work of John C. Olmsted and Frederick Law Olmsted, Jr., successors of the elder Olmsted and principals of the Olmsted Brothers firm which was consulted throughout the country on matters of civic landscape design. But after 1900, parks and cemeteries took on aspects of formal landscape planning made fashionable by the "City Beautiful" movement and renewed interest in formal gardens of the Italian style. Typically, classical formality was introduced to early 20th century cemetery landscapes in the axial alignment of principal avenues of approach centered on building fronts, and also in cross axes terminated by rostrums, exedras, and other focal features drawn from various traditions in classical architecture. By the 1930s, newer cemeteries and memorial parks showed the influence of modernism in a general preference for buildings and monuments that were stripped of excessive decoration. Greek



architecture, admired for its purity and simplicity, was the approved model for monumentation in the early modern age.<sup>36</sup>

In *Silent Cities: The Evolution of the American Cemetery*, Kenneth T. Jackson discusses Christian burial practices prior to the establishment of denominational cemeteries separate from houses of worship:

The large cemetery was unknown in North America prior to the end of the eighteenth century. The deceased usually were interred inside a parish church or in its adjacent burial ground. Of course, the isolated farmer might have been buried in an open field, the agnostic urban resident in an undeveloped city lot or the vagrant in a potter's field, but the majority preferred a place close to a house of God. The church interior itself was especially well regarded, and the rich, the powerful and the influential, as well as the clergy, sought crypts beneath the slabs of the floor, as near to the altar as possible, as had been the case in Europe for centuries. ... Burying the departed within the church was inconvenient, however, and the space available was not adequate for the demand. Thus the tradition of using the surrounding grounds developed. The resulting church graveyards were at the center of life, part of the pattern of everyday existence.<sup>37</sup>

In *Cemeteries*, Keith Eggener describes how the church-adjacent cemeteries were retired in favor of larger cemeteries that were detached from church properties:

Religious groups sometimes established burial places unattached to houses of worship. This happened for a variety of reasons: a congregation lacking funds or wider community acceptance might establish an in-town burying ground while still renting space for worship; burial might commence on a site intended for a house of worship that failed to materialize or sustain itself; a town or city burying ground adjacent to a church might fill and a new graveyard be opened in an outlying area. These outlying sites, most of which date from the early nineteenth century onward, tended to be much larger than the older churchyards, their grounds less crowded and randomly organized, their planning and landscaping reflecting prevailing fashions in cemetery design.<sup>38</sup>

### Catholic Cemeteries

In *Silent Cities*, Jackson asserts that most, if not all, Catholic cemeteries shared two commonalities: “the provision made for the poor and the destitute,” and “special sections [for] members of the clergy.” Both of these elements are evident in Mount Calvary Cemetery, as explained in the earlier site-specific history. Besides these shared practices, Catholic cemeteries did not typically embody specific design principles that were universally accepted

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<sup>36</sup> Elisabeth Walton Potter and Beth M. Boland, *Guidelines for Evaluating and Registering Cemeteries and Burial Places*, National Register Bulletin 41 (National Park Service, U.S. Department of the Interior, 1992), 6.

<sup>37</sup> Kenneth T. Jackson and Camilo José Vergara, *Silent Cities: The Evolution of the American Cemetery* (New York: Princeton Architectural Press, 1989), 10.

<sup>38</sup> Keith Eggener, *Cemeteries*, 1st ed, Norton/Library of Congress Visual Sourcebooks in Architecture, Design, and Engineering (New York and Washington, D.C: W.W. Norton & Co., Library of Congress, 2010), 58.

by all sects of the faith, except for the common practice of prominently displaying crosses at markers.<sup>39</sup>

Individual design elements and markers prevailed in Catholic cemeteries based on the cultural practices of the denomination and the ethnicity of the interred, rather than singular design or funerary traditions, as explained by Jackson:

In Italian sections of cemeteries one never has the feeling of being alone because hundreds of life-sized statues—looking active and engaged on their pedestals—keep a constant vigil. From the late nineteenth century until about World War II, Italian-Americans favored elaborate tomb structures. Over time, a family would purchase several religious statues to adorn the family plot. The most popular images were the Blessed Virgin, the Pietà, St. Joseph with the Christ Child, and angels with outspread wings, all powerful yet gentle Catholic figures. The most complex displays might include the complete Holy Family, angels, a patron saint, and a sculpted portrait. Photographs of the deceased also played an important part in articulating the moment. As long as a feeling of kinship remained strong, the family plot was a source of comfort, pride and aesthetic satisfaction. More recently, however, Italian markers are less easily distinguished from those of other Americans.<sup>40</sup>

In nineteenth century Ireland, the typical grave marker was a simple stone slab, often shaped like an arched portal. In addition to bearing the deceased's name and a religious image, it was inscribed with carefully lettered information: dates of birth and death, the name and relationship of the person who erected the marker, and sometimes even the former street address and career of the deceased. In the United States, the format continued, and many immigrants added to the monument their county and parish of birth and an epitaph. ... Although the Irish 'do not go for statues as Italians do,' their strong Catholic faith is occasionally expressed in life-sized renderings of a narrow range of subjects: particularly the Virgin Mary and the free-standing cross. Surprisingly, St. Patrick, patron saint of Ireland is rarely seen. ... Sculpted reliefs illustrate the Resurrection, the Virgin Mary, the face of Christ, the Crucifix, and the sacrificial lamb on an altar. Deathbed scenes do not describe death as the end: angels perch of the clouds awaiting the deceased's entry into paradise.<sup>41</sup>

Elements more typical to general Christian burial practices, rather than Catholic-specific traditions, include the east-facing orientation of graves, as explained in the historical overview of Oakwood Cemetery in the *City of Austin Historic Cemeteries Master Plan*:

Graves were oriented with feet to the east, based on a belief that the dead would rise in both body and soul on Judgment Day and, so oriented, would face the morning sun and/or Jerusalem. The orientation of graves on an east-west axis was not limited to Christians; historically, Jewish graves have been oriented with feet toward Jerusalem (to the east, when one is in Texas), with heads toward Jerusalem, or with feet toward the cemetery entrance.<sup>42</sup>

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<sup>39</sup> Jackson and Vergara, *Silent Cities: The Evolution of the American Cemetery*, 91.

<sup>40</sup> Jackson and Vergara, *Silent Cities: The Evolution of the American Cemetery*, 50–51.

<sup>41</sup> Jackson and Vergara, *Silent Cities: The Evolution of the American Cemetery*, 54–55.

<sup>42</sup> Amatterra Environmental, Inc., *City of Austin Historic Cemeteries Master Plan*, 80.



## Marker Materials and Imagery

While it is not clear if this was always the case, Mount Calvary burials were not restricted to those individuals that were congregants of St. Mary's, but were open to other Catholic parishes and Catholic paupers, as well as Maronite Catholics. Over time, this resulted in a multitude of grave markers exhibiting various eras of funerary traditions, as well as specific cultural practices, embodied primarily through use of materials and imagery. Typical stone and heavily polished grave markers abound, interspersed with less common designs and appearances. Some markers exhibit inset photographs, a process first implemented in 1854 and which gained popularity through the second half of the nineteenth century.<sup>43</sup> Many of the simpler markers within the cemetery have more handmade appearances, with many consisting of simple poured concrete and hand-carved text.

Background on some of the grave marker material trends in the cemetery is provided for context on the less-common practices and traditions exhibited by these features.

Contextual background on typical grave markers during the late nineteenth and early twentieth centuries is offered in the *City of Austin Historic Cemeteries Master Plan*:

Victorian culture, in both England and the United States, turned away from the classical architecture and rationalism that had governed the late 18th and early 19th centuries. In its place, the Victorians embraced romanticism, exuberance, and morality. Texas fully entered the Victorian era following the Civil War, as the state's economy recovered, railroad building resumed, and the population swelled, resulting in a building boom.

Monuments, which had been more restrained in their design, now became more elaborate and highly ornamented. The grave markers placed during these years were often carved with fanciful designs and statuary, and set within plots surrounded by ornate iron fences or stone borders.

The celebration of death and its rituals became an important component of Victorian society. Elaborate funerals and memorials allowed the well-to-do to display their wealth and position, and the railroads enabled the import of Italian marble, which became the stone of choice for grave markers. Marble headstones became available by mail order, and it is likely that at least some of the marble markers from the latter half of the nineteenth century would have been manufactured elsewhere and shipped to Austin for inscription and placement.

Older traditions were updated as well; instead of scraping grass clean, graves might be covered with stone slabs, with or without inscription, and entire family plots might be paved with concrete, brick, or gravel (often limestone or marble, or sometimes granite). Mounding of earth over graves was replaced, to a limited extent, by the construction of false crypts or, more often, by bodystones, a slab carved or coped to

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<sup>43</sup> National Register of Historic Places, Broadway Cemetery Historic District, Galveston, Galveston, Texas, 7-17, National Register #14000340.

suggest the form of the deceased sleeping with their head resting on a pillow. Grave markers also were carved in the rough shape of pillows, in some instances.<sup>44</sup>

Names on grave markers, as well as some text and design features of these markers, suggest that individuals with a wide variety of ethnic or ancestral backgrounds were buried at Mount Calvary Cemetery, including those of Mexican, Irish, Italian, German, Lebanese, and Czech heritage. Many of these markers include text from the deceased's native language.

Many grave markers exhibit Mexican heritage traditions present in other cemeteries in Central and South Texas, including the Oakwood Cemetery Annex. These folk-art markers are embodied by embedded colorful tilework, stone, and seashells to decorate stone or concrete grave markers, often in the shape of crosses.<sup>45</sup> In many cases, other imagery, objects, or ornamentation was applied that may have individual meaning to the deceased. All were erected between 1929 and 1949, with most having been placed in the 1930s. At the foot of some of these markers are ephemeral decorations, such as plastic or fabric flowers.

Mount Calvary has several grave markers representing members of the Woodmen of the World (WOW) life insurance organization. These are stone or concrete markers carved into elaborate tree stumps. Other imagery typically carved in these markers include axes and mauls, along with a seal denoting which chapter of the WOW the deceased was associated with.<sup>46</sup> These markers were mainly crafted between 1900 and 1920, until high costs led the organization to later abandon their production.<sup>47</sup> Not all WOW markers have the tree stump appearance, with some in the cemetery made of marble with traditional Catholic imagery and a WOW seal.

Like many cemeteries, Mount Calvary has a section dedicated to infants. The lot is named "Home of the Holy Infancy" and is identified by a general marker dated May 1, 1932. Only one individual marker exists in this plot, dated 1965.

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<sup>44</sup> Amatererra Environmental, Inc., *City of Austin Historic Cemeteries Master Plan*, 84–85.

<sup>45</sup> Terry G. Jordan, *Texas Graveyards: A Cultural Legacy* (Austin, Tex.: University of Texas Press, 1982), 75–80.

<sup>46</sup> Marks Hinton and Barbara Hinton, "Story of the Tree Stumps Tombstones," *Historic Houston*, accessed February 4, 2022, <http://historichouston1836.com/woodmen-of-the-world/>.

<sup>47</sup> Hinton and Hinton, "Story of the Tree Stumps Tombstones."

## National Register Eligibility Recommendations

- Eligible Properties/Districts

**Resource 317: Mount Calvary Cemetery, east side of 2600-2700 block North I-35**

Mount Calvary Cemetery is situated on an irregular-shaped parcel northeast of downtown Austin, bound to the west by the I-35 northbound frontage road, to the north by Youngquist Drive, and to the east and south by internal private roads operated by the University of Texas at Austin. The property is approximately ten acres, consisting of grassy lawn, a mix of young and mature trees of various species, and a system of primarily linear pathways branching off a main, gravel vehicular drive. Lots and plots are laid in a grid across 11 sections, with each plot laid east-west, representing Catholic burial traditions of laying the deceased with feet pointed eastward. The cemetery contains approximately 3,000 graves, dating from the cemetery's establishment in 1878-1879 to the early 2020s.<sup>48</sup>

The main drive connects with the I-35 northbound frontage road at both ends, with the route primarily running north-south following the parcel's irregular shape. The main entrance is located at the southern end of the main drive and is framed on each side by paired brick pillars of varying heights, which together support overhead signage. The sign consists of a rectangular metal mesh frame, upon which are metal letters reading "MT CALVARY" in decorative typeface, supported by two simple metal poles attached to the innermost pillars. Atop the metal mesh sign is a metal cross flanked by wrought-iron scrollwork. A wrought-iron pedestrian gate is located between the northernmost pillar and a single brick pillar. This gate leads to a flagstone pedestrian path that parallels the main drive. An undated historic photograph of the cemetery taken prior to the 1970s shows stone pillars, a segmental arch sign, and the wrought-iron pedestrian gate located to the south of the entry to the main vehicular drive, indicating that the brick pillars and sign are not original (see Figure 3).

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<sup>48</sup> Eubanks, "Re: Mount Calvary Cemetery History Questions."



*Figure 3. Undated photograph of Mount Calvary Cemetery, showing a previous sign and stone pillars (in the background). This photograph predates the construction of the upper deck of I-35, indicating it was taken prior to the 1970s.<sup>49</sup>*

Directly east from the main entrance is the 1916 statuary constructed by St. Mary's Church as the main focal point of the cemetery. This area consists of a grave marker honoring chaplain Rev. Joseph Marr, which, together with a stone pyramidal frustrum—a pyramid shape without the pointed top—support a large Texas granite cross. To the east of this cross is a bronze crucifix set in a concrete foundation with an attached set of concrete stairs.

Most plots retain concrete curb borders, and typically consist of two rows of four graves. Plots are generally organized by families, although some are shared by unrelated persons. Grave markers vary substantially in age, size, style, and materials, with many exhibiting carved stone monuments that are typical of their respective time periods. Depending on age, materials, and workmanship of these markers, there is a varying degree of marker weathering and deterioration across the cemetery. Interspersed among more traditional upright, rectangular or cross-shape grave markers are more elaborate monuments of polished stone, and others that convey more distinct cultural traditions for funerary practices. Mexican heritage is represented at Mount Calvary Cemetery in several grave markers that display handcrafted tilework and shell decoration typical of cemeteries in Central and South Texas, including the Oakwood Cemetery Annex.<sup>50</sup> While individuals with Hispanic surnames were buried at Mount Calvary at least as early as 1903, folk-art markers decorated with shells and tiles only appear on those laid in the 1920s through 1940s—with only approximately five such markers identified. Members of the WOW organization are also represented, with markers that exhibit tree-stump imagery.

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<sup>49</sup> "Mt. Calvary."

The cemetery does not exhibit a strict division of areas for specific nationalities or ethnicities. However, some general observations regarding distribution of ethnicities and burial dates can be made. Most of the oldest graves are located in Sections A, B, D, F, and R of the cemetery, with a small concentration of older graves in Section H (see Figure 4). It should be noted that newer graves are also present in these sections. Many early and mid-twentieth-century graves of Mexican Americans, including those with folk art and WOW grave markers, are located along the east side of the cemetery, particularly along the east fence line, in Sections F and I. Newer graves from the 1940s to the 2010s are more common in the northeast and central parts of the cemetery, including Sections E, G, and J. The Home of Holy Infancy plot is in Section F; it was dedicated in 1932 but only one individual marker, dating from 1965, is present.

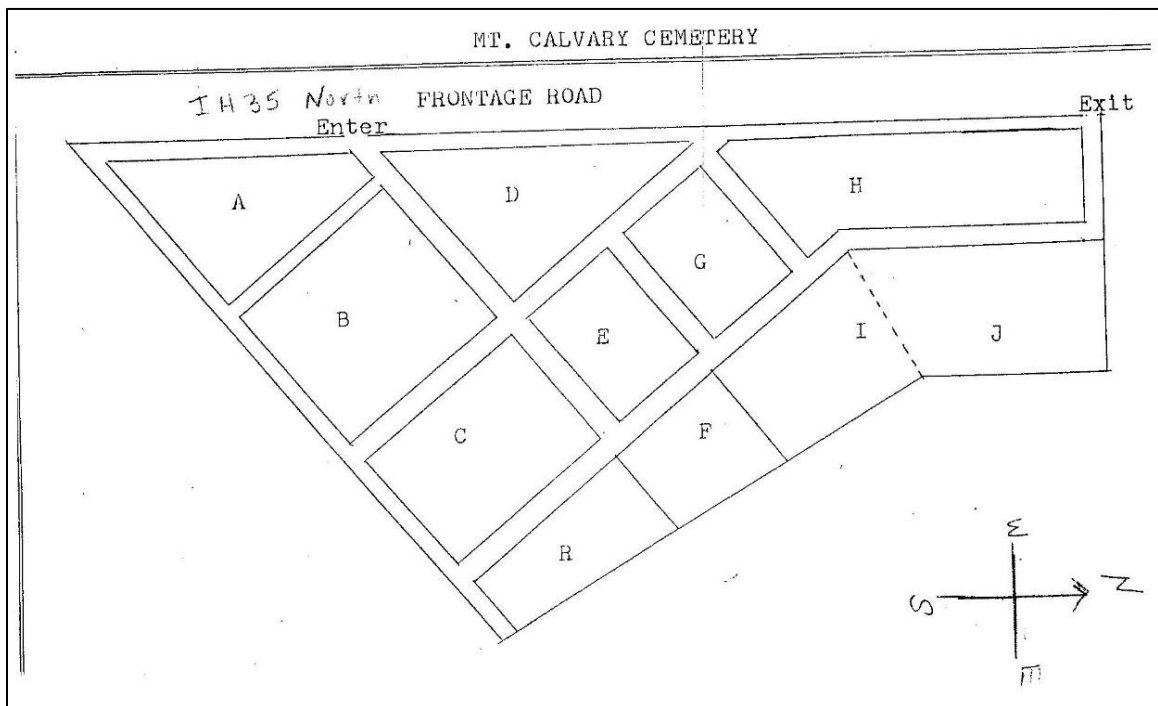


Figure 4. Undated map of Mount Calvary Cemetery, showing lettered sections. The map postdates the 1950s construction of I-35.<sup>51</sup>

There does not appear to be a uniform pattern of trees or other plantings in the cemetery. Aside from areas of mature oaks, most trees appear to be intentionally planted as part of individual plots. For example, some lots are framed by crape myrtles or junipers planted at two or four of the lot corners.

A vacant building originally constructed as a restroom is located at the southwest corner of the cemetery. This one-story brick building is rectangular in plan, with a moderate-pitch hip

<sup>50</sup> Amatterra Environmental, Inc., *City of Austin Historic Cemeteries Master Plan*, 190.

<sup>51</sup> "Mt. Calvary Cemetery," *Findagrave.Com*, accessed September 22, 2022, [findagrave.com/cemetery/5368/mount-calvary-cemetery#view-photo=118692862](https://findagrave.com/cemetery/5368/mount-calvary-cemetery#view-photo=118692862).



roof clad in asphalt shingles, and a concrete foundation. The exterior brick is of variegated color, mainly of orange tones, laid in header bond. The entry door at the north elevation is obscured by a metal security gate. Window openings at the west elevation have brick sills that slightly project from the exterior plane, with the windows boarded up. Door and window openings at the east elevation are also boarded up, with the windows having the same brick sills as the west elevation. The south elevation has utility equipment affixed to the side, with a conduit pole extending through the roof, and no fenestration.

The cemetery is primarily surrounded by simple chain-link fencing, with the exception of some areas abutting UT property, which exhibit non-historic-age concrete masonry unit walls and attached metal bar fencing and areas of chain-link fencing topped by barbed wire.

The setting of the cemetery has a very urban character, with the dual-level I-35 highway dominating westward views within the cemetery. Adjacent to the eastern and southern boundaries are roadways and 1980s utilitarian buildings operated by UT.

Guidance in both the NRHP bulletin *How to Apply the National Register Criteria for Evaluation* and NRHP bulletin *Guidelines for Evaluating and Registering Cemeteries and Burial Places* was used to evaluate Mount Calvary Cemetery for significance and to assess integrity.<sup>52</sup> Mount Calvary Cemetery does not have an association with an adjacent NRHP-eligible building or structure, and is not part of an NRHP-eligible district. Therefore, for the cemetery to be considered eligible for NRHP listing under Criteria A, B, or C, it must also meet Criteria Consideration D requirements that apply to the evaluation of cemeteries. Criteria Consideration D states the following: “A cemetery is eligible if it derives its primary significance from graves of persons of transcendent importance, from age, from distinctive design features, or from association with historic events.”<sup>53</sup> Furthermore, as a Catholic cemetery historically and currently owned and maintained by a religious entity, the cemetery must also meet the requirements of Criteria Consideration A that apply to the evaluation of religious properties. Criteria Consideration A states the following: “A religious property is eligible if it derives its primary significance from architectural or artistic distinction or historical importance.”<sup>54</sup>

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<sup>52</sup> National Park Service, *National Register Bulletin: How to Apply the National Register Criteria for Evaluation*, 1990 (revised 1997), [https://www.nps.gov/subjects/nationalregister/upload/NRB-15\\_web508.pdf](https://www.nps.gov/subjects/nationalregister/upload/NRB-15_web508.pdf); Elisabeth Walton Potter and Beth M. Boland, *Guidelines for Evaluating and Registering Cemeteries and Burial Places*, National Register Bulletin 41 (National Park Service, U.S. Department of the Interior, 1992).

<sup>53</sup> National Park Service, *National Register Bulletin: How to Apply the National Register Criteria for Evaluation*, 34.

<sup>54</sup> National Park Service, *National Register Bulletin: How to Apply the National Register Criteria for Evaluation*, 26.

## Significance

### Criterion A

Mount Calvary Cemetery, in active use since 1879, is a tangible representation of Austin's cultural heritage as immigrants of numerous ethnicities came to the city and served in a variety of professions and occupations. These early residents and their descendants helped define Austin through decades of growth in the late 1800s and 1900s. Mount Calvary Cemetery also served as a touchstone for Austin's immigrant Catholic and Maronite communities, with many cultures, occupations, families, and individuals coming together as part of the broader Catholic community. As noted in the NRHP bulletin *Guidelines for Evaluating and Registering Cemeteries and Burial Places*, a cemetery significant under Criterion A "may represent a variety of important aspects of an area's early settlement and evolving sense of community."<sup>55</sup> Mount Calvary Cemetery possesses significance under Criterion A in the areas of Ethnic Heritage and Social History at the local level of significance. As a cemetery owned and operated by a religious organization, Mount Calvary Cemetery must also meet requirements under Criteria Consideration A as a religious property and Criteria Consideration D as a cemetery, as noted above. Mount Calvary derives its significance from historic associations with numerous immigrant and ethnic groups important in Austin's history and social development rather than solely from its associations with the Catholic church, and therefore meets Criteria Consideration A. NRHP guidance notes that "a cemetery possessing important historic associations from a community's early period of settlement, or which reflects important aspects of community history" likely would meet Criteria Consideration D.<sup>56</sup>

Mount Calvary Cemetery was also evaluated for potential significance in other areas. With regard to the area of Religion, Mount Calvary is an early example of a Catholic cemetery in the city; however, it is likely not the earliest burial ground for Catholics in Austin, as it was established 27 years after the initial organization of the St. Mary's congregation, nor is it the earliest religious cemetery distinct from a house of worship. As explained in the context, it is likely—but not confirmed—that practicing Catholics in Austin buried their deceased at a burial ground adjacent to their church, or within the extant City Cemetery. While Mount Calvary is the first Catholic cemetery in the city of Austin without an adjacent house of worship, it is not the first of this type when including other religions. Rather, Austin's Jewish community established a cemetery for its local followers as part of the City Cemetery in 1866, approximately 13 years prior to the 1879 opening of Mount Calvary.<sup>57</sup> Even so, the cemetery's association with themes in religious history does not appear to warrant "secular scholarly recognition," as required by Criteria Consideration A. As stated in the NRHP bulletin *How to Apply the National Register Criteria for Evaluation*, a property would not be eligible simply because it was the earliest such property with a religious association: "A religious property cannot be eligible simply because it was the oldest structure used by a religious group in a local area."<sup>58</sup> Therefore, although Mount Calvary may possess historical

significance as the earliest Catholic cemetery in Austin, it is not recommended NRHP-eligible under this area of significance after application of Criteria Consideration A.

While Mount Calvary was located near the northern extent of the Austin city limits at the time of its establishment, it does not appear to have been an identifiable catalyst for additional development in the area, nor does it represent early city planning relative to burial grounds. Additionally, the State Cemetery of Texas and the City Cemetery were established in 1851 and 1856, respectively, at least 23 years prior to the opening of Mount Calvary Cemetery. In comparison to cemeteries in Texas with some aspect of a religious affiliation eligible listed in the NRHP under Criterion A for Community Planning and Development, Mount Calvary Cemetery does not embody significant trends in Austin under this theme with a secular component to qualify under Criteria Consideration A or under Criteria Consideration D, as it does not demonstrate planning in any manner unrelated to its religious affiliation. Unlike the NRHP-listed Galveston Broadway Cemetery Historic District and the Brownsville City Cemetery and Hebrew Cemetery properties found eligible under this theme after application of Criteria Consideration A, the establishment of Mount Calvary Cemetery was carried out entirely by the St. Mary's parish, without specific land set aside by the City of Austin or as part of any larger cemetery plan established by the city. The Austin Memorial Park, established in the mid-twentieth century in what was then northwest Austin, was determined NRHP-eligible in 2011 in the area of Community Planning and Development. Unlike Mount Calvary Cemetery, the Austin Memorial Park was established by private owners in response to the city's rapid growth in the mid-twentieth century and was purchased by the City of Austin a few years after its establishment for use by Austin residents. The City of Austin continues to own and operate Austin Memorial Park to the present. In contrast, all aspects of Community Planning and Development are directly associated with the religious operations of St. Mary's parish and, therefore, the cemetery does not demonstrate secular significance under this area to be eligible for listing in the NRHP after application of Criteria Consideration A nor after application of Criteria Consideration D.

In summary, Mount Calvary Cemetery is eligible for listing in the NRHP under Criterion A, with application of Criteria Considerations A and D, in the areas of Ethnic Heritage and Social History at the local level of significance. The period of significance under Criterion A extends from the cemetery's establishment in 1879 to 1953, when it was replaced by Assumption Cemetery as the region's primary Catholic cemetery with a resultant decrease in the number of burials.

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<sup>55</sup> Potter and Boland, *Guidelines for Evaluating and Registering Cemeteries and Burial Places*, 10.

<sup>56</sup> Potter and Boland, *Guidelines for Evaluating and Registering Cemeteries and Burial Places*, 17.

<sup>57</sup> Amatterra Environmental, Inc., *City of Austin Historic Cemeteries Master Plan*, 27.

<sup>58</sup> National Park Service, *National Register Bulletin: How to Apply the National Register Criteria for Evaluation*, 27.



### *Criterion B*

Research suggests that Mount Calvary Cemetery contains the graves of some influential church leaders, civic leaders, and important contributors to Austin's history. However, research did not indicate that any of these leaders rise to the level of "transcendent importance," as required under Criteria Consideration D.<sup>59</sup> In addition, contributions of important groups and individuals are better represented by other properties such as residences or places of business. The cemetery's significance for association with historical trends and patterns is more appropriately evaluated under Criterion A. Therefore, Mount Calvary Cemetery is not significant under Criterion B through application of Criteria Consideration D.

### *Criterion C*

According to the NRHP bulletin *Guidelines for Evaluating and Registering Cemeteries and Burial Places*, a cemetery must "embody distinctive characteristics of a type, period, or method of construction" to be significant under Criterion C. The bulletin also provides an example of a cemetery with religious affiliation that must qualify under Criteria Consideration A to be eligible under Criterion C: "A graveyard of a church or synagogue distinguished by the artistic quality of its gravemarkers or by relatively early historical associations." Additionally, to be eligible under Criterion C, a cemetery would need to derive its primary significance from distinctive design features, as required through application of Criteria Consideration D.

Mount Calvary Cemetery appears to demonstrate traditional elements for Catholic burial places but does not embody landscape design elements or other features that stand out among other simple cemeteries. Traditional design features identified during field survey include plots laid for headstones to face east, a focused area for clergy burials, and statuary embodying Christian symbols, such as crosses and crucifixes. Due to variations of the cemetery parcel shape, the east-facing headstones vary slightly in their orientation, likely to maximize the available space for plots. Other elements of the cemetery include lot-specific tree plantings or concrete curbing that were not identified with individual religious or cultural traditions but are instead features common among historic-age cemeteries. While many American cemeteries during this period exhibited high-design landscaping associated with the "rural" cemetery movement, the Mount Calvary Cemetery is, by comparison, simple in its design without any of the elements associated with this cemetery design movement or any others from the late nineteenth century. Rather, the cemetery consists of several mature oak trees that may have existed as part of the natural landscape prior to 1879. As such, the initial design plans for the cemetery as well as its current slightly altered configuration do not embody specific, significant landscape design philosophies or trends for Catholic or secular cemeteries beyond the simple plot orientation and monuments for clergy members.

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<sup>59</sup> Potter and Boland, *Guidelines for Evaluating and Registering Cemeteries and Burial Places*, 16.

Additionally, features that conventionally convey a larger design intent such as the entrance gate and fencing have been modified over time, with the altered features dating to c.1960.

Other design features are conveyed by individual grave markers, which vary in size, shape, and detail, and are generally composed of concrete, marble, or granite. Some grave markers include text or imagery that conveys cultural backgrounds of the deceased such as Italian, Irish, and Mexican heritage, or organizational affiliations such as the WOW organization. Others do not exhibit specific heritage-based differences in appearance, but the names of the deceased suggest Czech, German, and Lebanese heritage. Markers with more distinctive design elements occur sporadically within the cemetery and, as such, do not collectively demonstrate identifiable themes related to high artistic quality or workmanship that would be appropriately conveyed through the cemetery property as a whole. Therefore, Mount Calvary Cemetery does not demonstrate significance under Criterion C, after application of Criteria Consideration A and Criteria Consideration D.

#### *Criterion D*

Specific information potential demonstrated by Mount Calvary Cemetery can be obtained through themes evaluated under *Criterion A* and *Criterion C*, and could also be understood through other cemetery examples. Therefore, Mount Calvary Cemetery does not demonstrate significance under Criterion D.

Mount Calvary Cemetery is recommended not eligible for listing in the NRHP under Criteria A, B, or C through application of Criteria Considerations A and D.

#### *Integrity*

The NRHP bulletin *Guidelines for Evaluating and Registering Cemeteries and Burial Places* provides guidance on assessing integrity of cemeteries by posing three questions that a researcher should ask: “1) To what degree does the burial place and its overall setting convey the most important period(s) of use? 2) To what degree have the original design and materials of construction, decoration, and landscaping been retained? 3) Has the property’s potential to yield significant information in American culture been compromised by ground-disturbance or previous investigation?”<sup>60</sup>

The first question primarily applies to the aspects of location, setting, and feeling. Mount Calvary Cemetery continues to convey its original function as a burial place from the late nineteenth and early and mid-twentieth centuries. However, its immediate setting has experienced substantial changes over time, most notably from the construction of the dual-level I-35 highway along the cemetery’s western boundary, which has introduced consequential visual and auditory transformations. Additionally, the properties that surround

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<sup>60</sup> Potter and Boland, *Guidelines for Evaluating and Registering Cemeteries and Burial Places*, 18.

the cemetery to the east and south have been built-up with utilitarian buildings and structures associated with UT, further changing the setting of the cemetery from its earlier setting of a semi-rural residential area at the outskirts of the city. As such, while the cemetery retains integrity of location and feeling, it does not retain integrity of setting. However, the cemetery's significance is not strongly dependent on the surrounding physical setting beyond the cemetery property, and integrity of setting is therefore not of primary importance when determining overall historic integrity.

The second question primarily applies to the aspects of design, materials, workmanship, and feeling. Mount Calvary Cemetery retains the design as altered in 1916, which incorporated the original central drive and paths around the cemetery perimeter. It is unclear how many natural oak trees remain in the cemetery from its early decades. More recent tree plantings have occurred since this period, but appear to be specific to individual lots, which were likely planted by individual families associated with the deceased. The statuary introduced at the eastern end of the main drive remains, with the exception of the replica of the Mount Calvary religious site. The integrity of design, materials, workmanship, and feeling remain as it relates to the individual plots, through the gravel drives, concrete curbing, and grave markers. Other elements of design such as the main entrance gate have been replaced c.1960; however, the replacement gate and fencing still serve the essential function of boundary demarcation at the original property line. Overall, the cemetery generally retains aspects of integrity of design, materials, workmanship, and feeling.

The third question applies to potential changes based on ground-disturbing activities, which have the potential to impact design, workmanship, materials, and feeling; however, there is currently no evidence that ground disturbance has occurred on the property to any effect that could impact integrity of the cemetery as it relates to aspects of design, workmanship, materials, or feeling. Refer to project archeological reports for additional information regarding subsurface integrity.

As such, the Mount Calvary Cemetery retains all aspects of integrity with the exception of setting and remains able to convey its historical significance under NRHP Criterion A

- **Ineligible Properties/Districts**

None.

- **Recommendations for Further Study**

Evaluations of NRHP eligibility can be made from existing project information and the findings of the intensive-level survey, as documented in this report. No further work is recommended at this time.

## **Determination of Section 106 Effects Recommendations**

- **Direct Effects**

Based on design changes incorporated into project schematics in summer 2022, no ROW would be acquired from Resource 317: Mount Calvary Cemetery for the I-35 Capital Express central project. Information regarding direct effects to the NRHP-eligible property is included in the reconnaissance-level HRSR.

- **Indirect, Cumulative or Reasonable Foreseeable Effects**

Information regarding indirect, cumulative or reasonable foreseeable effects to the NRHP-eligible property is included in the reconnaissance-level HRSR.

## **U.S. DOT Section 4(f) Applicability Statement**

In the intensive survey area, the proposed project would not result in a use of any Section 4(f)-protected properties for transportation purposes and would not adversely affect properties under Section 106. Therefore, Section 4(f) is not applicable.

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## **Appendix A: Project Information and ROW Information**

[Finalize](#)[Back To List](#)

- [WPD Section I - Project Definition](#)
- [WPD Section II - Tool](#)
- [WPD Section III - Project Work Plan](#)
- [WPD Section IV - Findings](#)

[Archived WPD I](#)

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## Project Definition

Project Name:

CSJ:  -  -

Anticipated Environmental Classification:

Is this an FHWA project that normally requires an EIS per 23 CFR 771.115(a)?

☐ Project Association(s)

Auto Associate CSJ from DCIS

Manually Associate CSJ:

Add

CSJ	DCIS Funding	DCIS Number	Env Classification	DCIS Classification	Main or Associate	Doc Tracked In	Actions
<a href="#">CSJ:091404341</a>	Federal,State	F()	EIS	CSD	Associate	Main	
<a href="#">CSJ:001513433</a>	Federal,State	F()	EIS	CSD	Associate	Main	
<a href="#">CSJ:001513432</a>	Federal,State	F()	EIS	BWR	Associate	Main	
<a href="#">CSJ:001513423</a>	Federal,State	F()	EIS	WF	Associate	Main	
<a href="#">CSJ:001513428</a>	Federal,State	F()	EIS	FOI	Associate	Main	
<a href="#">CSJ:001513399</a>	State	ROW 15-13-399	EIS	ROW	Associate	Main	

☐ DCIS Project Funding and Location

Funding

DCIS Funding Type:

☒ Federal

☒ State

☐ Local

☐ Private

Location

DCIS Project Number:

Highway:

District:

County:

Project Limit -- From:

Project Limit -- To:

Begin Latitude: +  .

Begin Longitude: -  .

End Latitude: +  .

End Longitude: -  .

☐ DCIS & P6 Letting Dates

DCIS District:

DCIS Approved:

DCIS Actual:

P6 Ready To Let:

P6 Proposed Letting:

☐ DCIS Project Description

Type of Work:

Layman's Description:

DCIS Project Classification:



Design Standard: 4R - New Location and Reconstruction

Roadway Functional Classification: 1 - Interstate

☐ Jurisdiction

No

Does the project cross a state boundary, or require a new Presidential Permit or modification of an existing Presidential Permit?

Who is the lead agency responsible for the approval of the entire project?

☒ FHWA - Assigned to TxDOT
 ☐ TxDOT - No Federal Funding
 ☐ FHWA - Not Assigned to TxDOT

TXDOT

Who is the project sponsor as defined by 43 TAC 2.7?

No

Is a local government's or a private developer's own staff or consultant preparing the CE documentation, EA or EIS?

Yes

Does the project require any federal permit, license, or approval?

☒ USACE
 ☐ IBWC
 ☐ USCG
 ☒ NPS
 ☒ IAJR
 ☐ Other
 

No

Does the project occur, in part or in total, on federal or tribal lands?

☐ Environmental Clearance Project Description

## Project Area

Typical Depth of Impacts: 26 (Feet)

Maximum Depth of Impacts: 80 (Feet)

New ROW Required: 50 (Acres)

New Perm. Easement Required: 0 (Acres) New Temp. Easement Required: 3 (Acres)

## Project Description

## Describe Limits of All Activities:

TxDOT is proposing improvements to I-35 from US290E to US290W/SH71 in Travis County (~8 miles in length).

The proposed improvements include the removal of the existing I-35 decks from Airport Blvd. to MLK Jr. Blvd., lowering the roadway, and adding two HOV managed lanes in each direction. One alternative would add direct connectors at I-35/US 290E. The project will also reconstruct east-west cross-street bridges, add shared-use paths (SUP), and make additional safety and mobility improvements within the project limits.

TxDOT, in coordination with the City of Austin and the University of Texas (UT), is designing the project to accommodate potential deck plaza locations that would cover sections of the main and HOV lanes of I-35 and provide community enhancement opportunities in those areas. The City is currently evaluating potential deck plazas between Cesar Chavez St. and 8th St. UT is evaluating potential deck cap areas between Dean Keeton St. and 15th St. In addition, "stiches," or bridges with enhanced (widened) pedestrian and bicycle accommodations and amenities, are being evaluated at the following locations: the CapMetro Red Line crossing south of Airport Blvd., Wilshire Blvd., 38th ½ St., 32nd St., 12th St., 11th St., Holly St., and Woodland Ave.

In addition, this project will make improvements to the drainage system including potential drainage tunnels and outfall sites. Currently, TxDOT is proposing major drainage systems along and

Describe Project Setting:

The proposed project location is in an urban setting. The existing roadway experiences high traffic volume throughout the day, as I-35 is one of only three north-south-oriented controlled-access facilities in the Austin metropolitan area.

Land use in the vicinity of the project area is highly developed and comprised of a variety of property types including commercial (large shopping and office/retail centers, car dealerships, hotels/motels, restaurants, municipal buildings), churches, hospitals/health care providers, schools, parks, and residential (single-family residential and multi-family apartment and condominium complexes). There are a few undeveloped parcels; however, none are being used for cropland, pasture, or range land.

Eight stream features cross the project area and include two tributaries of Tannehill Branch (intermittent), Boggy Creek (intermittent flow regime), Lady Bird Lake (perennial), two unnamed tributaries of the Colorado River/Lady Bird Lake (one perennial and one ephemeral), and two tributaries of Blunn Creek (one ephemeral and one intermittent).

Vegetation in the project area consists of maintained roadside grasses and forbs within existing ROW. Landscaped grasses, forbs, and shrubs are located within developed areas. In undeveloped areas, vegetation consists of disturbed pasture, Ashe juniper/live oak woodlands, and narrow riparian areas.

Cemeteries adjacent to the project area include Mt. Calvary, Oakwood, and Assumption.

There are Section 4(f)- and Section 6(f)-protected parkland properties adjacent to the project limits, including: Northwest Greenway along Philomena Street; Swede Hill Pocket Park; Waller Creek Greenbelt; Waterloo Greenway; Waller Beach at Town Lake Metro Park (Section 6(f)); Sir Swante Palm Neighborhood Park; Edward Rendon Sr. Metro Park at Festival Beach (Section 6(f)); Norwood Tract at Town Lake Metro Park; and Ann and Roy Butler Hike and Bike 1300 Riverside Easement. There are also some historic sites that may trigger individual Section 4(f) evaluations, such as the Haster House, Elgin-Butler Brick Company Main Office, Dura Tune Service Station and Ann and Roy Butler Hike and Bike Trail.

There are adjacent properties that are listed in or are possibly eligible for the NRHP (i.e. Mt. Calvary Cemetery, Elgin-Butler Brick Company Main Office, Palm Park, etc.).

This project is located in USFWS karst zone 3B, but it is not located within the Edwards Aquifer Recharge Zone.

There is potential freshwater mussel habitat in the Colorado River near Longhorn Dam.

#### Describe Existing Facility:

The existing I-35 roadway from US290E to US 290W/SH71 is located in an urban area with adjacent commercial, residential, institutional, governmental, and parks/open space properties. Within the proposed project limits, I-35 is an access-controlled interstate highway. Beginning at the southern limit, US 290W/SH 71, the roadway typically has three to four, 12-foot-wide mainlanes (concrete barrier-separated) with 4- to 12-foot-wide inside shoulders, 10- or 12-foot-wide outside shoulders, and two to three, 11- or 12-foot-wide frontage road lanes with curb and gutter in each direction. From Lady Bird Lake to 15th St., I-35 generally includes three 12-foot-wide mainlanes in each direction with auxiliary lanes between some of the ramps. North of 15th St., the roadway has four mainlanes in each direction and includes the upper/lower deck split just north of MLK Jr. Blvd. with a continuation of the upper decks to north of Airport Blvd. From Airport Blvd. to US 290E, I-35 includes four barrier-separated mainlanes in each direction. The roadway here typically has 2- to 6-foot-wide inside shoulders, 10-foot-wide outside shoulders, and two to four, 11- or 12-foot-wide frontage road lanes with curb and gutter in each direction. US 290E, between I-35 and Cameron Rd., is a four-lane freeway with 12-foot-wide mainlanes in each direction and 6-foot inside and 5'-20' outside shoulders. Frontage roads are 2 to 4 lanes in each direction and direct connector ramps provide access to and from the I-35 general purpose lanes.

Sidewalks exist in most, but not all, locations throughout the project area and SUP are located within the project area in "downtown" Austin, defined as between MLK Jr. Blvd. and Holly St. Drainage along the roadway (mainlanes and frontage roads) is provided by storm sewer networks and

#### Describe Proposed Facility:

~8 m in length - 1,500 ft north of US290E to 1,000 ft south of SH71. Removal of decks (Airport to MLK), lowering roadway, adding 2 HOV lanes in each direction, reconstructing E-W cross-streets, adding SUP.

Construction access/staging needed within parkland: Waller Beach (6(f)); Edward Rendon (6(f)); Norwood Tract; & Ann/Roy Butler Hike & Bike Easement.

Improvements to drainage include new drainage systems & outfalls. Project lowers roadway profile below existing grade north/south of Lady Bird Lake, which severs drainage systems connected to Harpers Branch, Lady Bird Lake, Colorado River, Waller Creek, & Boggy Creek. New systems needed to drain runoff severed from existing outfalls: storm drains along both FRs & MLs (Harper's Branch outfall to Oltorf); tunnel east I35 (Lady Bird Lake to 15th); tunnel west I35 (Waller Creek outfalls [3rd, 9th, & 15th] to Hancock Center), tunnel down Cesar Chavez (CO River downstream of Longhorn Dam to I35); tunnel Clarkson Branch to I35 (via 38th & north to Hancock Center); & storm drain Boggy Creek to the west of I35 (via a crossing north of Airport).

Based on alternatives screening process, TxDOT is analyzing 2 build alts. and the No Build in the EIS:

Alt. 2

Would the project add capacity?

Transportation Planning

Is the project within an MPO's boundaries?

Does the project meet the definition for a grouped category for planning and programming purposes?

The project is located in  area.

This status applies to:

☐ CO - Carbon Monoxide

☐ O3 - Ozone

☐ NO2 - Nitrogen Dioxide

☐ PM10 - Particulate

☐ PM2.5 - Particulate

Environmental Clearance Information

Environmental Clearance Date:

Environmental LOA Date:

Closed Date:

Archived Date:

Approved Environmental Classification:

Project Contacts

Last  
Updated Tricia Bruck-Hoyt-C  
By:

Last Updated Date: 09/16/2022 04:59:15

## Appendix B: Tabular Inventory of Surveyed Properties

Resource No.	Address/ Location	Function/ Sub-function	Architectural Style	Date(s)	Description/Comments	Integrity Considerations	NRHP Eligibility
317	East side, 2600-2700 block North Interstate Highway 35, Austin, Texas 78701; 30.284621, -97.725124	FUNERARY/ cemetery	No Style	1879; 1916 alterations; c.1960 alterations	Mount Calvary Cemetery is approximately ten acres, with grassy lawn, trees, and pathways branching off a main drive. The main drive connects with the I-35 northbound frontage road, with the main entrance marked by brick pillars, overhead signage, and a wrought-iron pedestrian gate. There is 1916 statuary constructed by St. Mary's Church directly east of main entrance. Lots and plots are in a grid, laid east-west, with concrete curb borders. A vacant brick building is located at the southwest corner. Grave markers vary, with some conveying funerary practices of Mexican heritage, or representing Woodmen of the World (WOW) organization members. The setting has an urban character, with the dual-level I-35 highway dominating westward views. Adjacent are roadways and 1980s utilitarian buildings operated by the University of Texas. Resource 317 possesses historical significance under NRHP Criterion A in the areas of Ethnic Heritage and Social History, through application of Criteria Considerations A and D.	The setting has experienced substantial changes over time, most notably from construction of the dual-level I-35 highway along the western boundary. The cemetery retains the design as altered in 1916, which incorporated the original central drive and paths around the cemetery perimeter. Statuary introduced at the eastern end of the main drive remains, with the exception of the replica of the Mount Calvary religious site. The integrity of design, materials, workmanship, and feeling remain as it relates to the individual plots, through the gravel drives, concrete curbing, and grave markers; however, other elements of design such as the main entrance gate have been replaced c.1960. Overall, the cemetery retains aspects of integrity of location, design, materials, workmanship, feeling, and association, but does not retain integrity of setting.	Eligible (Criterion A: Ethnic Heritage, Social History)

## **Appendix C: Survey Forms for All Surveyed Properties**

Survey Date:	January 14, 2022; February 15, 2022
Resource No:	317
Project Location:	Austin, Travis County, I-35: US 290 East to US 290 West/SH 71
Project Name and CSJ:	Capital Express Central – Mount Calvary Cemetery Intensive Survey; 0015-13-388
Address, Lat/Long:	East side, 2600-2700 block North Interstate Highway 35, Austin, Texas 78701; 30.284621, -97.725124
Function/Sub-function:	FUNERARY/cemetery
Construction Date:	1879; 1916 alterations; c.1960 alterations
Architectural Style/Form:	No Style
NRHP Eligibility	Eligible (Criterion A: Ethnic Heritage, Social History)
Description/Comments:	Mount Calvary Cemetery is approximately ten acres, with grassy lawn, trees, and pathways branching off a main drive. The main drive connects with the I-35 northbound frontage road, with the main entrance marked by brick pillars, overhead signage, and a wrought-iron pedestrian gate. There is 1916 statuary constructed by St. Mary's Church directly east of main entrance. Lots and plots are in a grid, laid east-west, with concrete curb borders. A vacant brick building is located at the southwest corner. Grave markers vary, with some conveying funerary practices of Mexican heritage, or representing Woodmen of the World (WOW) organization members. The setting has an urban character, with the dual-level I-35 highway dominating westward views. Adjacent are roadways and 1980s utilitarian buildings operated by the University of Texas. Resource 317 possesses historical significance under NRHP Criterion A in the areas of Ethnic Heritage and Social History.
Integrity Considerations:	The setting has experienced substantial changes over time, most notably from construction of the dual-level I-35 highway along the western boundary. The cemetery retains the design as altered in 1916, which incorporated the original central drive and paths around the cemetery perimeter. Statuary introduced at the eastern end of the main drive remains, with the exception of the replica of the Mount Calvary religious site. The integrity of design, materials, workmanship, and feeling remain as it relates to the individual plots, through the gravel drives, concrete curbing, and grave markers; however, other elements of design such as the main entrance gate have been replaced c.1960. Overall, the cemetery retains aspects of integrity of location, design, materials, workmanship, feeling, and association, but does not retain integrity of setting.



Main entrance to the cemetery, view facing northeast.



Survey Date:	January 14, 2022; February 15, 2022
Resource No:	317
Project Location:	Austin, Travis County, I-35: US 290 East to US 290 West/SH 71
Project Name and CSJ:	Capital Express Central – Mount Calvary Cemetery Intensive Survey; 0015-13-388
Address, Lat/Long:	East side, 2600-2700 block North Interstate Highway 35, Austin, Texas 78701; 30.284621, -97.725124
Function/Sub-function:	FUNERARY/cemetery
Construction Date:	1879; 1916 alterations; c.1960 alterations
Architectural Style/Form:	No Style
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Sign above the main entry gate, view facing east.

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Wrought-iron pedestrian gate at cemetery's main entrance, view facing west.



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View west along the main drive toward the cemetery main entrance.

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Overview of cemetery, view facing south.



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Overview of cemetery, view facing south.

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West end of cemetery, showing tree plantings associated with individual lots. View facing west.



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1916 statuary at the central-east portion of the cemetery, view northeast.



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Example of a grave marker exhibiting elements of Mexican heritage.



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Examples of grave markers representing deceased members of the Woodmen of the World organization.

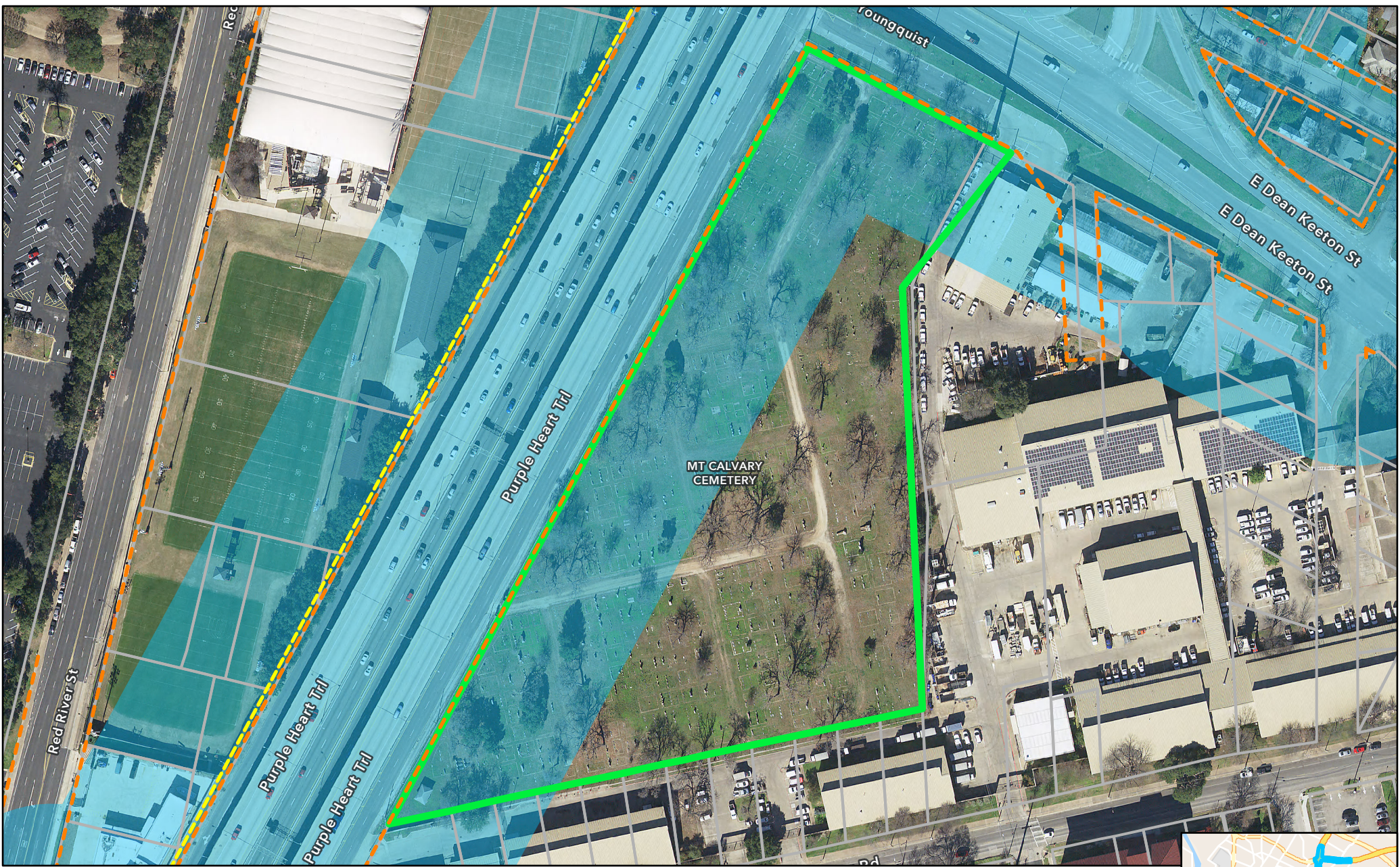
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View north showing area of proposed right-of-way acquisition.

## Appendix D: Figures



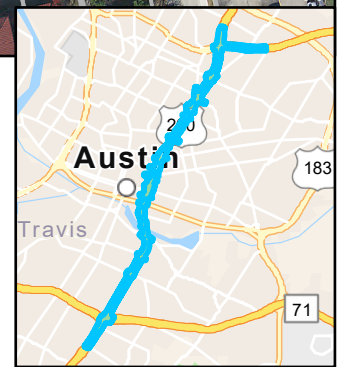


**NRHP Boundary Map**  
**I-35 Capital Express Central**  
**Intensive Survey**  
**CSJ: 0015-13-388**

- APE
- NRHP Boundary
- Parcel Boundary (Travis CAD)
- Existing ROW (TxDOT)
- Proposed New ROW (Alt 2) (TxDOT)

\*No New Modified Alt 3 ROW is Proposed in this location

*Resource Name: Mount Calvary Cemetery*  
*Resource Number: 317*





## **Appendix E: Section 106 Consulting Party Comments**

## Appendix E: Section 106 Consulting Party Comments

Mount Calvary  
Intensive-level HRSR

Comment Number	Draft Page/ Section	New Page/ Section	Consulting Party	Comment	Response
1	Overall	Overall	Ted Eubanks	<p><i>Do you agree with the findings of the reports? Why or why not?</i> What has been written in this report should demonstrate that I do not agree with the findings of the report. In my response, I have been using National Register Bulletin 41 for the criteria required for eligibility. Using these criteria, here is one example of how the report is flawed:</p> <p>[Regarding importance of individuals buried at Mount Calvary] The notion that the individuals interred in the cemetery are not important figures in Austin or Texas history has been disproven by the brief biographies that I have provided or but a few of the important people buried in the cemetery. Yes, these people were Catholic. Given their status as immigrants, the Catholic church represented the only community to which they belonged. How the consultant did not include people such as Michael Butler, Joseph and F.X. Fischer (of Fischer &amp; Lambie), Sebron Sneed, Dr. Herbert Nassour, or the nuns from Daughters of Charity who planted the seeds for what became Ascension-Seton (to name a few) is beyond my comprehension. In addition, the consultant report states the following:</p> <p>[Wording regarding ethnic groups represented at Mount Calvary] This brief mention of what may be most important about Mount Calvary, and the feature that clearly and obviously qualifies it for the National Register, is hard to understand. Mount Calvary is a cemetery filled with immigrants. Immigrants are not the exception; they are the rule. What these immigrants brought to Austin in talent and skills were critical to the building of Austin. The importance of European and Middle Eastern immigration to Austin has been understudied and underappreciated, and Mount Calvary provides a rich platform for the study of this critical period in Austin and Texas.</p>	<p>Report has been fully revised to refocus on various ethnic groups and nationalities represented at Mount Calvary. The cemetery has been reevaluated and is significant under NRHP Criterion A in a manner that meets the Criteria Considerations.</p> <p>In terms of Criterion B, graves of individuals or groups of individuals are not the most appropriate to convey Criterion B significance. The cemetery's significance in relation to historical trends and patterns is most appropriately captured under Criterion A. NR Bulletin 15 notes that "properties eligible under Criterion B are usually those associated with a person's productive life reflecting the time period he or she achieved significance" - a home, place of business, studio, etc. Therefore, the recommendation that the cemetery is not significant under Criterion B was left as-is. Text was added to clarify the reasoning and to stress that there are important persons, individually and collectively, buried at the cemetery.</p>
2	Overall	Overall	Ted Eubanks	<p><i>Is there any additional information that TxDOT should consider when looking at these historic properties?</i> A summary of what the consultant overlooked has been provided. Yet this is only a small fraction of the information available. There are over 3000 souls in the cemetery, most of them immigrants. The research required to show this remarkable tapestry of immigration will take years of work. Here is an important example. Within the cemetery, there are people who lost their lives in virtually every tragic event in Austin's early history. The Civil War, the Spanish-American War, the 1900 Flood and the destruction of the Great Granite Dam, the Great Flood of 1915, and WWII are just a few examples of the events that took the lives of people in Mount Calvary. The fact that Austin immigrants fought and died in WWII for their country is obviously a story worth documenting and telling, just naming one example.</p>	<p>While years of research is not feasible under the current scope of work for this project, the additional information provided by Mr. Eubanks was very valuable in re-evaluating and describing the cemetery's significance and its eligibility under NRHP Criterion A.</p>
3	Overall	Overall	Ted Eubanks	<p><i>What concerns do you have about the potential effects to these properties?</i> This cemetery is sacred space, and the oldest Catholic cemetery in Austin. This cemetery is also open to the public and provides the people of Austin a singular opportunity to study those who came to Austin and made this great city possible. Any expansion of I35 will impact the cemetery since there are graves (such as that of Dr. Hebert Nassour) that are 10-12 feet from the border fence along the freeway.</p>	<p>TxDOT has made design changes to avoid any acquisition of land from Mount Calvary Cemetery.</p>
6	Overall	Overall	Justin Kockritz, Texas Historical Commission	<p>There is some basic information that is still missing, such as number of burials, age of those burials, etc.</p>	<p>Exact information was not available from the cemetery administrators. Local researchers provided an approximate number of graves, and this information was added to the text. Basic information on distribution of burials by age and ethnic group, gathered during field investigations, was also added to text.</p>
7	Overall	Overall	Justin Kockritz, Texas Historical Commission	<p>Multiple distinct ethnic groups appear to be represented in the cemetery, including Czech, Italian, Lebanese, Mexican, and Polish. How are burials from these groups distributed physically within the cemetery? Are there distinct time periods that they represent? Do those burials relate to larger trends in the history and development of Austin? For instance, were particular groups represented in the cemetery drawn to Austin with the construction of the railroad or because of certain industries?</p>	<p>Information regarding ethnic groups, distribution within the cemetery, and spatial expression of developmental periods has been added to text.</p> <p>Extensive additional research beyond the cemetery itself is outside the current scope of this project.</p>



## Appendix E: Section 106 Consulting Party Comments

Mount Calvary  
Intensive-level HRSR

Comment Number	Draft Page/Section	New Page/Section	Consulting Party	Comment	Response
8	Overall	Overall	Justin Kockritz, Texas Historical Commission	What relationship does the cemetery have with the wider Catholic community of Austin? Not just St. Mary's Cathedral, but other area Catholic parishes, as well as institutions such as Seton Hospital ("founded in 1902 by the Daughters of Charity") or St. Edward's University (founded in 1877). Does the cemetery convey historic significance related to the growth and development of this community? Does the cemetery perhaps illustrate the Catholic Church's efforts to serve their parishioners and/or the larger Austin community?	Some additional information to address this comment was placed in the historic context and significance statement. However, extensive additional research on local and regional Catholic institutions beyond the cemetery itself is outside the current scope of this project.
9	Overall	Overall	Justin Kockritz, Texas Historical Commission	What Catholic parishes utilized the cemetery for burials? Are plots organized by parish? Are there parishes that are/are not represented at the cemetery? Why or why not?	Detailed information was not made available by cemetery administrators. However, local researcher and parishioner Ted Eubanks provided good information on general plot arrangement and parish establishment, and this info has been added to text.
10	Overall	Overall	Justin Kockritz, Texas Historical Commission	What is the relationship between Mt. Calvary Cemetery and Assumption Cemetery or other Catholic cemeteries in the area?	Added paragraph on creation of Assumption Cemetery and relationship to Mount Calvary.
11	Overall	Overall	Justin Kockritz, Texas Historical Commission	There are a variety of grave markers in the cemetery, including flat stones, professionally designed headstones and monuments, and vernacular/folk art markers. Do these types of grave markers illustrate particular patterns in the ethnic group, time period, or location? Several notable folk art grave markers (shell work, hand painted markers, etc.), primarily with Mexican or Mexican-American surnames, can be found in Sections F, I, and J along the eastern edge of the cemetery.	The cemetery description contains detailed information on Mexican folk art and WOW markers.
12	Overall	Overall	Justin Kockritz, Texas Historical Commission	There appear to be several church, community, and fraternal organizations represented at the cemetery, including some, such as the Daughters of Charity, that appear to be grouped together. Do these groups also relate to the development of the wider Catholic community? Are there other notable groups of burials such as paupers or infants?	Added a bit more information on the Daughters of Charity and Holy Cross Sisters, and added more information on the Holy Infancy plot.
13	Overall	Overall	Justin Kockritz, Texas Historical Commission	We largely concur that the cemetery is not eligible under Criterion C for its design, landscape architecture, or artistic value. Although established on the then-outskirts of town, it is not, and never was a "rural" or picturesque cemetery as a cemetery of this era that would be NR-eligible under Criterion C might be expected to be.	Thanks for the comment and confirmation on Criterion C eligibility. No changes needed.
14	Overall	Overall	Justin Kockritz, Texas Historical Commission	The report seems to focus on assessing the cemetery's historic integrity too early. Integrity should be evaluated after thoroughly evaluating the cemetery's potential Criterion A historic significance, and addressing the questions and comments above. That will allow for an understanding of the cemetery's potential period of significance. If the cemetery was active and conveys the historic significance of its relationship with the Catholic community, and depending on the history of burials at the cemetery, the period of significance could extend as far as 1879-1980 (the survey cut-off date for the project), in which case even the elevated decks of Interstate 35 and some of the adjacent UT warehouses would have already existed. In any case, the historic integrity of the cemetery's "internal" setting appears to be highly intact.	Have clarified period of significance to extend 1879-1953 and revised integrity section to address this comment. Bottom-line integrity assessment reach the same conclusion as previously - loss of integrity of setting, retention of all other integrity aspects.
15	Overall	Overall	Justin Kockritz, Texas Historical Commission	As proposed, the project would acquire 10 feet of additional right-of-way from the cemetery and "would extend to the concrete curb line of the burial plots." These curb lines appear to be related to individual family plots; they are not consistent along the entire length of the western property line and may not represent the extent of burials.	This comment is exactly correct - curbs are not consistent and are not necessarily burial location limits. Project design has been modified to avoid any ROW acquisition from the property, and this wording has been removed from text.
16	Overall	Overall	Justin Kockritz, Texas Historical Commission	In general, I think additional information is warranted, especially related to the role of the cemetery in the wider Catholic community (among the local parishes and other health and educational institutions) and about the ethnic and family groups buried there. Some of that information may be available from consulting parties.	See above responses - have added information and refocused evaluation on ethnic groups/nationalities; added a bit of available information on cemetery relationship to Catholic institutions.