

**Subject:** Consulting party in Section 106 review at Fort Fisher Park, Waco, Texas  
**From:** John Griggs <john.griggs@sbcglobal.net>  
**Date:** Wed, 23 Jul 2008 01:47:28 -0600  
**To:** bob\_l\_anderson@nps.gov

Dear Mr. Anderson,

In correspondence directed to the Texas Parks and Wildlife Department (TPWD), I have requested that I be included as a consulting party in any Section 106 review relating to Fort Fisher Park in Waco, Texas. I have not received a reply from the TPWD with regard to my request. Since it is now clear that the National Parks Service is the lead federal agency with regard to the undertaking(s) at Fort Fisher, I am writing to place the request with your office.

I make my request based on 36CFR800.2(c)(5): "Certain individuals and organizations with a demonstrated interest in the undertaking may participate as consulting parties due to...their concern with the undertaking's effects on historic properties." I believe that I have shown a demonstrated interest in the undertaking through my extensive correspondence with state and federal officials over the past several months on the subject of Fort Fisher. My concern over the undertaking's effects stems from both professional and personal interest in the park and historic First Street Cemetery, which is located within the park boundaries.

I have a professional interest in the undertaking as a professional archaeologist. I participated in archaeological excavations at the park as a subcontractor from August, 2007 to March, 2008. During that time I began researching the park and cemetery with the assistance of a Waco historian and a man who participated in the construction of the park in 1968. That research suggested to me that there have been errors and omissions in the enforcement of state regulations pertaining to cemeteries and federal regulations pertaining to LWCF assisted parks and Section 106. I have presented these concerns in my correspondence to the National Parks Service and other agencies. Once I received confirmation that activities in the park are considered an undertaking under Section 106, I drafted a lengthy letter to your office with evidence suggesting that First Street Cemetery is eligible for the National Register of Historic Places. In addition, I have set up a website to provide the public with access to information about First Street Cemetery ([www.firststreetcemetery.org](http://www.firststreetcemetery.org)). (In the interest of full disclosure, I should note that the company which contracted with me to work at the cemetery, American Archaeology Group LLC (AAG), has filed a lawsuit against the City of Waco for breach of contract. The Texas Historical Commission and the archaeological firm currently working at the cemetery are also named in the suit. However, I am not an employee of AAG, I am not a party to the suit, and I have no financial interest in the outcome of the suit.)

With regard to my personal interest in the undertaking, I have family ties to McLennan County, Waco and First Street Cemetery dating to the mid-19th century. One branch of my family (McMullan) settled in McLennan County in 1860. An ancestor from another branch of my family, Rev. H. C. Renfro, served in the Civil War as a chaplain under General James E. Harrison, who is buried in First Street Cemetery. Rev. Renfro was a also close friend of Rufus C. Burleson, an early president of Baylor University in Waco. After the Civil War, Mr. Renfro wrote for the *Independent Pulpit* (a magazine that served as a forum for liberal and independent thinkers on the moral, social, and intellectual questions of the day) and was a friend of the magazine's editor, James Dickson Shaw, a Waco resident and pastor of Fifth Street Methodist Church in Waco. Another colleague at the *Independent Pulpit*, Robert Brown Lambdin, is buried in First Street Cemetery.

Thank you for your consideration of my request. I would greatly appreciate a written reply. If my request should be directed to another office, please let me know where to send it.

Sincerely,  
John Griggs, Ph.D.

