

Appendix I
Cultural Resources

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Appendix I-1

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Appendix I-1.1

List of Consulting Parties

**Medina County - FD 34284
Section 106 Consulting Parties**

1. Dr. Robert Fitzgerald
Private Landowner/
President, MCEAA
202 CR 450
Hondo, TX 78861

cc:

Dr. Thomas Hester
Professor of Anthropology, Emeritus
The University of Texas at Austin
P.O. Box 625
Utopia, TX 78884

Dr. Lynn Kitchen
Principal Scientist
Adams Environmental, Inc.
12018 Las Nubes Street
San Antonio, TX 78233

Mr. David Barton, Esq.
The Gardner Law Firm
745 East Mulberry Avenue, Suite 100
San Antonio, TX 78212-3149

2. Mr. Robert Hancock
Chairman
Medina County Historical Commission
Medina County Courthouse
Hondo, TX 78861
3. Mrs. Cynthia Lindsey
Quihi & New Fountain Historical Society
P.O. Box 93
190 CR 4512
Hondo, TX 78861

cc:

Ms. Necey Schulte
President
Quihi & New Fountain Historical Society
P.O. Box 93
Hondo, TX 78861

4. Ms. Carol Carpenter
President
Schweers Historical Foundation
500 Dresden Wood Dr.
Boerne, TX 78006

cc:

Mr. Donald Schoch
Schweers Historical Foundation
2405 IH-35 South, Suite 102
New Braunfels, TX 78130-8817

5. Mr. Archie Gerdes
450 CR 351
Hondo, TX 78861
6. Mr. David Coburn, Esq.
Steptoe & Johnson, LLP
1330 Connecticut Avenue, NW
Washington, DC 20036-1795
7. The Honorable Henry Bonilla
U.S. House of Representatives
1120 Wurzbach, Suite 300
San Antonio, TX 78230

Appendix I-1.2

List of Tribes

Medina County – FD 34284 – Tribal Consultation Summary

Tribal Name	Contact Information	Wants Consulting Party Status?
Cherokee Nation of Oklahoma	Richard Allen Research Analyst Cherokee Nation P.O. Box 948 Tahlequah, OK 74465	No
Comanche Nation of Oklahoma	Send all correspondence to: Wallace Coffey Chairman cc: correspondence to: Mr. Jim Arterberry Director for Environmental Program c/o Comanche Nation P.O. Box 908 Lawton, OK 73502	Yes
Kickapoo Traditional Tribe of Texas	Juan Garza Jr. Tribal Chairperson and Margie Salazar, Tribal Administrator (send information to both) Kickapoo Traditional Tribe of Texas HC 1 Box 9700 Eagle Pass, TX 78852	No
Tonkawa Tribe of Oklahoma	Carl Martin, Tribal Chairperson Tonkawa Tribe of Oklahoma 1 Rush Buffalo Rd. Tonkawa, OK 74653	No
Apache Tribe of Oklahoma	Alonzo Chalepah Tribal Chairperson Apache Tribe of Oklahoma P.O. Box 1220 Anadarko, OK 73005-1220	No

Tribal Name	Contact Information	Wants Consulting Party Status?
Wichita and Affiliated Tribes of Oklahoma	Troy Johanntoberns Director, Environmental Department Wichita & Affiliated Tribes P.O. Box 729 Anadarko, OK 73005	Yes
Kiowa Tribe of Oklahoma	Dorla Goombi Kiowa Tribe P.O. Box 30 Carnegie, OK 73015 George Daingkau NAGPRA Coordinator Kiowa Tribe Highway 9 West Carnegie, OK 73015	Yes
Mescalero Apache Tribe	Holly Houghten Tribal Historic Preservation Officer Mescalero Apache Tribe PO Box 227 Mescalero, NM 88340	Yes
Kialegee Tribal Town	Evelyn Bucktrot Kialegee Tribal Town P.O. Box 332 Wetumka, OK 74883	No Response
Kickapoo of Kansas	Steve Cadue Chairperson Kickapoo of Kansas P.O. Box 271 Horton, KS 66439 NAGPRA contact: Curtis Simon Environmental Protection: Jason Oval	No Response

Tribal Name	Contact Information	Wants Consulting Party Status?
Kickapoo of Oklahoma	Tony Salazar Chairperson Kickapoo of Oklahoma Business Committee P.O. Box 70 McCloud, OK 74851 NAGPRA contact is Kent Collier	No
Poarch Band of Creek Indians of Alabama	Robert Thrower Tribal Historic Preservation Officer Poarch Band of Creek Indians of Alabama 5811 Jack Springs Rd. Atmore, AL 36502	No, but would like to receive information about project
Pokagon Band of Potawatomi Indians of Michigan and Indiana	John Miller Chairperson Pokagon Band of Potawatomi Indians of Michigan and Indiana 58620 Sink Rd. Dowagiac, MI 49047	No
Seminole Tribe of Florida	Billy Cypress c/o W.S. Steele SemiNole Tribe of Florida Ah-Tah-Thi-Ka Museum HC-61, Box 21A Clewiston, FL 33440	No
Seminole Nation of Oklahoma	Kenneth Chambers Principal Chief Seminole Nation of Oklahoma P.O. Box 1498 Wewoka, OK 74884 Emman Spain	No Response

Tribal Name	Contact Information	Wants Consulting Party Status?
United Keetoowah Band of Cherokee Indians	Dallas Proctor Chief United Keetoowah Band of Cherokee Indians P.O. Box 736 Tahlequah, OK 74465 Rick Quary	No Response

Appendix I-1.3

Cultural Resources Correspondence

Cultural Resources Correspondence - Table of Contents

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Incoming letters to the Section of Environmental Analysis			
Pam Opiela - Texas Historical Commission	7/26/2003	EI-223	1
Robert Fitzgerald - Medina County Environmental Action Association	6/30/2003	EI-232	2
Robert Hancock - Medina County Historical Commission	7/21/2003	EI-250	3-4
Cynthia Lindsey - Quihi & New Fountain Historical Society	8/20/2003	EI-273	5
Glenn Lindsey	10/13/2003	EI-299	6-7
F. Lawrence Oaks - Texas Historical Commission	10/29/2003	EI-312	8-9
Thomas Hester	11/06/2003	EI-313	10-16
Robert Fitzgerald - Medina County Environmental Action Association	11/03/2003	EI-314	17-45
Lynn Kitchen - Medina County Environmental Action Association	11/07/2003	EI-315	46-50
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Necy Schulte - Quihi and New Fountain Historical Society	11/08/2003	EI-317	54-55
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Carol Carpenter - Schweers Historical Foundation	11/09/2003	EI-320	57-59
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David Coburn - Steptoe & Johnson	1/05/2004	EI-423	65-70
Raymond Hernandez - Tap Pilam Coahuiltecan Nation	2/4/2004	EI-596	71

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Dorla Goombi - Kiowa Tribe	5/07/2004	EO-102	72-73
Steve Cadue - Kickapoo of Kansas	5/07/2004	EO-103	74-75
Alonzo Chalepah - Apache Tribe of Oklahoma	5/07/2004	EO-104	76-77
Kenneth Chambers - Seminole Nation of Oklahoma	5/07/2004	EO-105	78-79
Billy Cypress - Seminole Tribe of Florida	5/07/2004	EO-106	80-81
Juan Garza, Jr. - Kickapoo Traditional Tribe of Texas	5/07/2004	EO-107	82-83
Holly Houghton - Mescalero Apache Tribe	5/07/2004	EO-108	84-85
Troy Johantobers - Wichita & Affiliated Tribes	5/07/2004	EO-109	86-87
Richard Allen - Cherokee Nation	5/07/2004	EO-111	88-89
Town King - Kialegee Tribal Town	5/07/2004	EO-112	90-91
Carl Martin - Tonkawa Tribe of Oklahoma	5/07/2004	EO-113	92-93
John Miller - Pokagon Band of Potawatomi Indians of Michigan and Indiana	5/07/2004	EO-114	94-95
Dallas Proctor - United Keetowah Band of Cherokee Indians	5/07/2004	EO-115	96-97
Margie Salazar - Kickapoo Traditional Tribe of Texas	5/07/2004	EO-116	98-99
Robert Thrower - Poarch Band of Creek Indians of Alabama	5/07/2004	EO-117	100-101
Danny Kaskaske - Kickapoo of Oklahoma	5/07/2004	EO-118	102-103
Jim Arterberry - Comanche Nation	5/07/2004	EO-119	104-105
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Carol Carpenter - Schweers Historical Foundation	5/07/2004	EO-121	108-109
David Coburn - Steptoe & Johnson	5/07/2004	EO-122	110-111
Robert Fitzgerald - Medina County Environmental Action Association	5/07/2004	EO-123	112-113
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Addressee - Organization	Date of Letter	Doc. Number	Page
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Robert Hancock - Medina County Historical Commission	5/07/2004	EO-125	116-117
Cynthia Lindsey - Quihi & New Fountain Historical Society	5/07/2004	EO-126	118-119
Pam Opiela - Texas Historical Commission	7/07/2003	EO-21	120-121
Robert Fitzgerald - Medina County Environmental Action Association	7/21/2003	EO-22	122-123
Robert Hancock - Medina County Historical Commission	8/08/2003	EO-26	124-125
Donald Schoch - Schweers Historical Foundation	8/08/2003	EO-27	126-127
Cynthia Lindsey - Quihi & New Fountain Historical Society	8/08/2003	EO-28	128-129
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Gabriel Lozano - Office of Congressman Henry Bonilla	11/14/2003	EO-43	148-149
Robert Fitzgerald - Medina County Environmental Action Association	3/22/2004	EO-74	150-151
Archie Gerdes	4/02/2004	EO-76	152
Thomas Hester - e-mail	3/8/2004-3/16-2004	None	153-158



TEXAS
HISTORICAL
COMMISSION

The State Agency for Historic Preservation

RICK PERRY, GOVERNOR
JOHN L. NAU, III, CHAIRMAN
F. LAWERENCE OAKS, EXECUTIVE DIRECTOR

#E1-223
RJ

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June 26, 2003

Ms. Victoria Rutson
Office of Economics, Environmental Analysis and Administration
Surface Transportation Board
Washington, D.C. 20423

Re: *Project review under Section 106 of the National Historic Preservation Act of 1966
Proposed Railway, Medina County. (STB)*

Dear Ms. Rutson:

The Medina County Environmental Action Association and the Quihi Historical Society have requested to be included as consulting parties in the Section 106 review process for the proposed Southwest Gulf Railway. They will contact you directly.

We look forward to further consultation with your office and hope to maintain a partnership that will foster effective historic preservation. Thank you for your cooperation in this federal review process, and for your efforts to preserve the irreplaceable heritage of Texas. **If you have any questions concerning our review or if we can be of further assistance, please contact Pam Opiela at 512/463-6218.**

Yours truly,

A handwritten signature in cursive script, appearing to read "F. Lawrence Oaks".

for: F. Lawrence Oaks, State Historic Preservation Officer

cc. Ed Baker, THC Archaeology Division; Peter Ketter, THC History Programs Division
FLO/PO

Page 1

21-232
RJ

THE MEDINA COUNTY ENVIRONMENTAL ACTION ASSOCIATION
202 CR 450, HONDO, TX 78861 ph (830) 741-5040 fax (830) 426-2060

Home

Health

Heritage

www.dontmesswithquihi.com

Communications: Mary Walpole

Website: Dwight Biediger

President, Robert T. Fitzgerald

Vice-President, Richard Culpepper

Secretary, Christine McCoy

Treasurer, Alyne Fitzgerald

Directors: Brad Regnier

Judy Dittmar

Lester Landrum

June 30, 2003

Ms. Victoria Rutson
Office of Economics, Environmental Analysis and Administration
Surface Transportation Board
1925 K Street, N.W., Suite 500
Washington, D.C. 20423

Re: Southwest Gulf Railroad Company's Proposed Rail Construction
Medina County TX
STB Finance Docket No. 34284
Project review under Section 106 of the National Historic Preservation Act of 1966

Dear Ms. Rutson:

Please include The Medina County Environmental Action Association as consulting party in the Section 106 review process for the proposed railway referenced above. We hope that this involvement with you in this proposed project will insure the preservation of the unique history, architecture, and other historical sites that are extensively spread throughout the Quihi area. This Quihi area is one of the original Castro Colonies founded in 1844 through 1847, and included Castroville, Quihi, Vandenburg and D'Hanis.

Thank you for conducting this research, and we look forward to working with you. If there is any further information that you may need, please contact me.

Sincerely,



Dr. Bob Fitzgerald, President
Medina County Environmental Action Association



#E1-250
RQ

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JUL 30 2003
MEDINA COUNTY
HONDO, TEXAS

MEDINA COUNTY HISTORICAL COMMISSION
MEDINA COUNTY COURTHOUSE
HONDO, TEXAS 78861

July 21, 2003

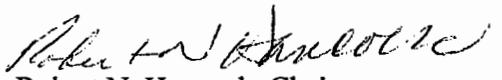
Rini Ghosh
Attorney Advisor
Section of Environmental Analysis
Surface Transportation Board
1925 K Street, N. W. Suite 500
Washington, D.C. 20423-0001
Attn: FD 34284

To Whom It May Concern:

Please find the enclosed Resolution from the Medina County Historical Commission regarding the proposed railroad and quarrying plans of Vulcan Materials Company.

Feel free to contact me if you have any question or need any further information.

Regards,


Robert N. Hancock, Chairman
Medina County Historical Commission

cc: Vulcan Materials Co.



MEDINA COUNTY HISTORICAL COMMISSION
MEDINA COUNTY COURTHOUSE
HONDO, TEXAS 78861

RESOLUTION NO. 2

A RESOLUTION OF MEDINA COUNTY HISTORICAL COMMISSION URGING VULCAN MATERIALS TO CONSIDER PROTECTING THE HISTORIC RESOURCES OF THE QUIHI AREA IN THE CONSTRUCTION OF A PROPOSED RAILROAD AS IT RELATES TO ITS PROPOSED QUARRYING ACTIVITIES IN THAT PART OF MEDINA COUNTY.

WHEREAS, the Medina County Historical Commission has a continuing commitment to the preservation, study, and recognition of the county's cultural heritage.

WHEREAS, the Commission is aware of the plans of Vulcan Materials to construct a railroad through the Quihi area related to its proposed quarrying activities in that part of Medina County; and

WHEREAS, Quihi is a highly important historic area of Medina County, representing a settlement established in 1846, and is marked by the presence of numerous homes and buildings of that period; and

WHEREAS, there are also important prehistoric archeological sites, as old as 10,000 years, in the area; and

WHEREAS, the Commission urges the Surface Transportation Board to use all proper review procedures during its consideration of the Vulcan applications for its railways and proposed alternative routes.

WHEREAS, this will involve detailed consultation with the Texas Historical Commission, charged with the implementation of Section 106 regulations related to cultural resources.

WHEREAS, the Commission will monitor the process and will receive the comments of concerned citizens of the Quihi area during all phases of cultural resource studies related to this project.

NOW THEREFORE, BE IT RESOLVED BY THE MEDINA COUNTY HISTORICAL COMMISSION:

Section 1. That the Directors of the Commission urge the Vulcan Materials Company to consider preserving the historic resources in the Quihi area of Medina County, Texas while planning the construction of the railroad for their proposed quarrying activities.

PASSED AND APPROVED this the 17th day of July, 2003.


ROBERT N. HANCOCK, Chairman
Medina County Historical Commission

Quihi & New Fountain
Historical Society

#E1-273
RS

Post Office Box 93
190 County Road 4512
Hondo, Texas 78861

Home Phone (830) 741-4041
Email clathi@aol.com

August 20, 2003

Victoria Rutson, Chief
Section of Environmental Analysis
Surface Transportation Board
Washington, DC 20423



Re: STB Finance Docket No 34284, Southwest Gulf Railroad Company - Construction and Operation Exemption - Invitation to be Consulting Party under section 106 of the National Historic Preservation Act.

Dear Ms. Rutson;

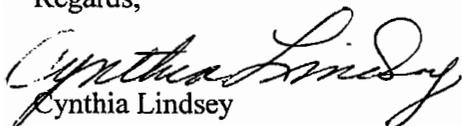
The Quihi and New Fountain Historical Society has been established to help preserve the community's character, individuality, and vitality by recording the past and documenting the history of Quihi and New Fountain. We want to be included in your investigation and will be submitting information with regard to historic and cultural resources in the Quihi and New Fountain Area.

The individual nominated to act as spokesperson for our group is:

Mrs. Cynthia Lindsey
P.O. Box 93
190 CR 4512
Hondo, TX 78861
(830) 741-4041

If you have any questions or need any additional information please contact Mrs. Lindsey. Thank you for the invitation and we look forward to working with the STB in the future.

Regards,


Cynthia Lindsey
Treasurer

October 13, 2003

#E1-299

Ms. Rini Ghosh
Surface Transportation Board
Section of Environmental Analysis
1925 K Street, Suite 500
Washington, DC 20423-0001

Re: STB Finance Docket 34284, Southwest Gulf Railroad Company—
Construction and Operation Exemption – Medina County, TX

Dear Ms. Ghosh,

I have received the Preliminary Cultural Resources Assessment for the above referenced project and would like to add and/or correct some of the information contained in the report.

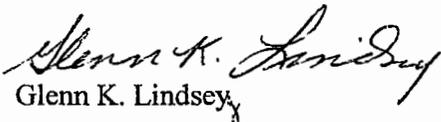
My first comment is that the proposed route would cross-County Road 4512, it is not noted on page six of the report. In addition, apparently, it would cross County Road 4512 directly in front of the entrance to my property. This has not been addressed in your report at all.

My second comment is that The Schuele-Saathoff house, listed on the National Register of Historic Places, is not correctly located on the maps in the report and is much closer to the proposed route than is stated. This historic house is located east of the Pichot Property and is between the Pichot Property and the proposed railroad route. I have enclosed a corrected copy of the Proposed Alignment map. Moreover, the house has been recognized as a Texas State Historical Landmark, and it has subsequently been established that the house was built in 1850.

Finally, my third comment is that my current personal residence is not shown on the report at all. It is located even closer to the proposed route and would be directly touched by this project. My home was built in 1999 and apparently has been overlooked by all involved in the assessment because they have been using outdated aerial maps.

I am one of the landowners directly affected by this project; the railroad would run right through the middle of my property. And, since I own the Schuele-Saathoff House (NRHP), and it is on my property, it should be necessary that I be included in the studies and notified when investigators are planning to physically survey this area. The overall consequences of this project to the historic homes and cultural artifacts have not been fully identified in your report. In addition, I believe a more comprehensive study is necessary before any approval or granting of any petition to the Southwest Gulf Railroad Co. If you have any questions or need any additional information please contact me at (830) 741-4041.

Sincerely,


Glenn K. Lindsey

POST OFFICE BOX 93
190 COUNTY ROAD 4512
HONDO, TEXAS 78861
Page 6

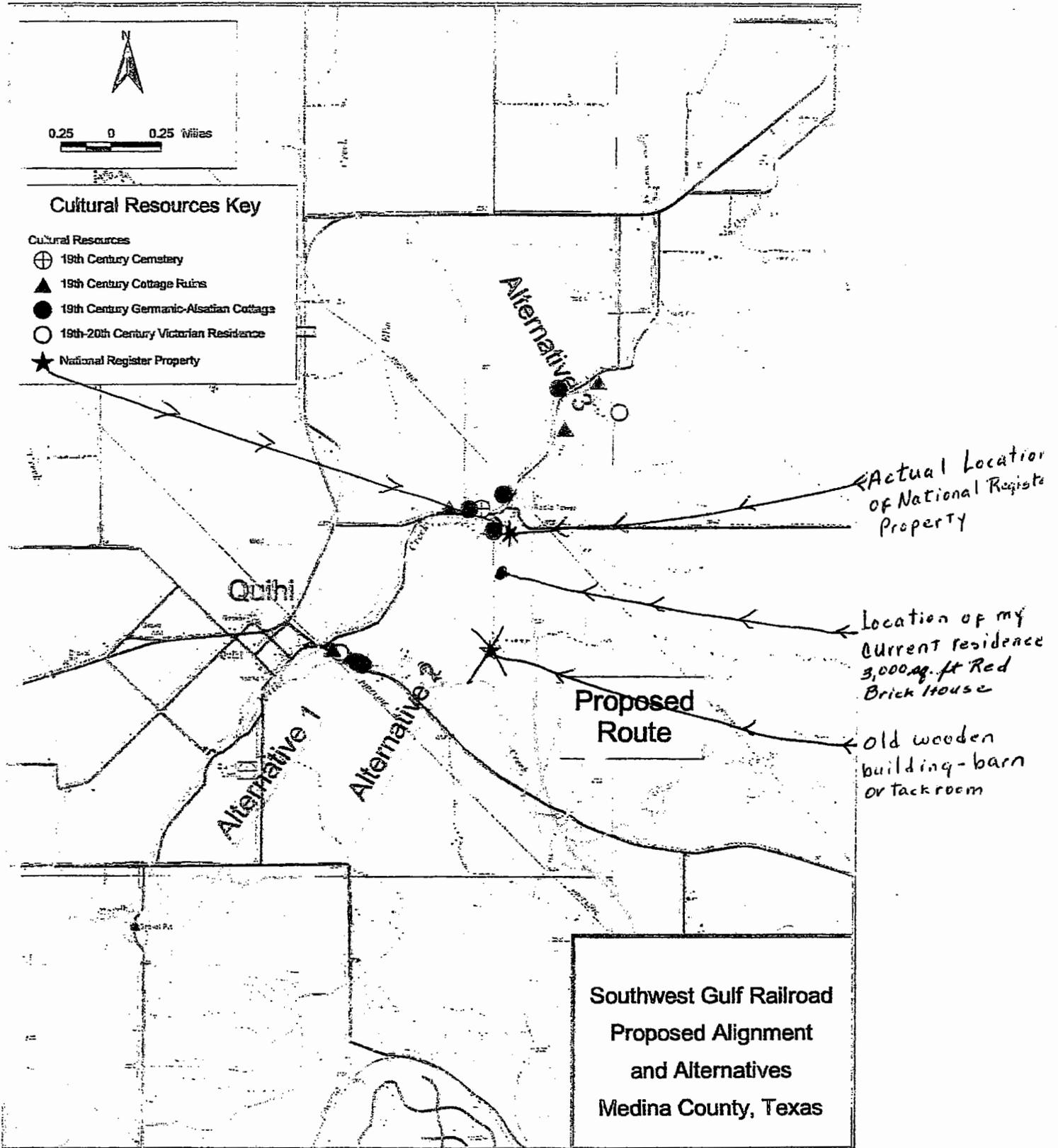


Figure 2. Distribution of the 19th Century Cultural Resources Located Within 1000 Feet of the Alignments

Oct. 13, 2003
Attachment from
Glenn Lindsey



Page

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The State Agency for Historic Preservation

RICK PERRY, GOVERNOR

JOHN L. NAU, III, CHAIRMAN

F. LAWRENCE OAKS, EXECUTIVE DIRECTOR

#E1-312
R9

October 29, 2003

Ms. Victoria Rutson
Office of Economics, Environmental Analysis and Administration
Surface Transportation Board
Washington, D.C. 20423

FD 34284

Re: *Project review under Section 106 of the National Historic Preservation Act of 1966
Proposed Railway Preliminary Cultural Resources Assessment Report, Medina County.
(STB)*

Dear Ms. Rutson:

Thank you for your correspondence describing the above referenced project. This letter serves as comment on the proposed undertaking from the State Historic Preservation Officer, the Executive Director of the Texas Historical Commission.

The review staff, led by Pam Opiela, has completed its review of the project documentation provided. We agree with the conclusion that more surveys are needed to identify cultural resources within the area of potential effect. It is clear from this documentation that there are eligible properties within the area of effect. A thorough survey of historic structures in the area should include the following on every property more than 45 years old:

- More specific location maps of the surveyed properties
- Addresses and dates of construction for each structure
- Clear photographic documentation of front and rear elevations and streetscapes

In addition, a thorough survey of archaeological sites in the area should be conducted. It is likely that significant archaeological deposits are present along all of the proposed routes. We recommend that the routes be intensively surveyed by archaeologists who meet the Secretary of the Interior's Professional Qualifications Standards.

We are concerned about the lack of thoroughness and good scholarship in this preliminary document. Very few references are cited, and many of those included are outdated, and some citations in the text are not listed in the bibliography. Some obvious mistakes should be corrected: Mexico gained its independence from Spain in 1821, not 1812 (p. 14), and the Civil War took place from 1861 to 1865, so settlers arriving after the Civil War would not be building distinctive homes by the 1850s (p. 15).

Consultation with tribes per Section 106 of the National Historic Preservation Act of 1966: The regulations require contacting Indian tribes that may attach religious and cultural significance to

historic properties. The report states that the Iowa were contacted. We are unaware of any record of the Iowa living in Texas. Notably missing from the list of tribes that may have an interest in the undertaking are the Tonkawa (who clearly occupied Central Texas), the Apaches, the Wichita, and the Kiowa.

We look forward to further consultation with your office and hope to maintain a partnership that will foster effective historic preservation. Thank you for your cooperation in this federal review process, and for your efforts to preserve the irreplaceable heritage of Texas. **If you have any questions concerning our review or if we can be of further assistance, please contact Bill Martin in our Archaeology Division at 512/463-5867 or Pam Opiela in the Division of Architecture at 512/463-6218.**

Yours truly,



for: F. Lawrence Oaks, State Historic Preservation Officer

cc. Robert N. Hancock, Medina County Historical Commission
Cynthia Lindsey, Quihi and New Fountain Historical Society
Dr. Robert Fitzgerald, Medina Environmental Action Association
Hannah Vaughan, THC History Programs Division

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#E1-313
 RG

Texas Archeological Research Laboratory • 10100 Burnet Road • Austin, Texas 78758-4497 • (512) 471-5960



November 6, 2003

Victoria Rutson, Chief
 Office of Economics, Environmental Analysis and Administration
 Surface Transportation Board
 1925 K Street NW, Room 500
 Washington, DC 20423

Subject: STB Finance Docket 34284, Southwest Gulf Railroad Company...

Dear Ms. Rutson:

As a consulting party in the process involving STB Finance Docket 34284, "A Preliminary Cultural Resources Assessment..." (a report which I personally never received), I am writing to provide your office with my comments and observations on the contents of this report, as it reflects potential cultural resource impacts to the Quihi area and its environs in Medina County, Texas.

My comments are based on almost 40 years of direct involvement in the archaeology of central, south central and southern Texas, and the publication of over 300 papers, monographs and books on the prehistory of this region. I have directed or supervised well over 100 projects in this region since 1967. Furthermore, before I ever heard of the construction plans outlined in STB Finance Docket 34284, I was already conducting personal, unfunded archaeological research in the project area near Quihi, Texas.

I give this background as a prelude to saying that this "preliminary cultural resources assessment" is perhaps the *worst* such document I have ever seen in my decades of work as a professional archaeologist. Indeed, in my 30 years as a professor with The University of Texas, I would have given an "F" grade to it had it been turned in as a paper by a first-semester freshman in an introductory archaeology course! All of this means that a vast amount of historical, archaeological, and geoarchaeological studies must be done in the project zone prior to any permitting of such activity. These views are shared by the Texas Historical Commission and in consultations I have already had with the Advisory Council on Historic Preservation.

However, my main purpose in writing this letter is to provide specific comments on the cultural resources, known and expected, in the project zone. Some of these could have

been predicted had any *minimal*, scholarly endeavor been attempted in the preparation of STB 34284.

1. The issue of prehistoric archaeology

This matter receives the poorest coverage in the subject document. Indeed, there are statements made in the document, e.g., page 10, paragraph 2, which are wholly in error, and unfortunately, laughable. The following pages on **Prehistory** (11, 12) show no indication of important archaeological studies that have gone on within a 20-mile radius of Quihi, some of which are in the same environmental contexts. My comments will be two-fold: (a) background the archaeology of the area and (b) my personal knowledge of the area's archaeology.

(a) *Background to the archaeology of the area.* The most basic scholarly research on the archaeology of this area would have revealed:

1. **41ME34:** A site that I excavated in 1987, lying about 12 mi to the W/SW in the exact type of stream drainage found in the Quihi area. This site had one area, adjacent to a small creek, that was deeply buried and stratified culturally, going back to 5500 years ago. Nearby was an isolated component of the Late Prehistoric Toyah Phase, identical to what will likely be found in the various small creeks that drain into, as well as along, Quihi Creek (MA thesis by Russell Brownlow, University of Houston, Department of Anthropology, 1998). Sites like ME34 should be anticipated in all the drainage systems involving Quihi Creek. This is an issue to which I will return later in this letter.
2. **41ME29.** This is a major archaeological site west of Highway 16 on the Bexar-Medina county border – roughly 20 miles E/NE of your project area. This site, known as “Jonas Terrace” is in the edge of the Balcones escarpment and would be relevant only to the quarry area/northernmost part of the proposed railroad. What is important about this report, by LeRoy Johnson (1995; Office of the State Archeol., #40, Austin) is its comprehensive treatment of the region, its wealth of data on ancient material culture, and its overall importance in planning strategies for future archaeological survey and analysis in the Quihi area.
3. **41UV2.** Located about 30 miles due west of the project area, and at about the distance north of Hwy 90 as Quihi, is one of the most significant archaeological sites in Texas. It contains cultural materials spanning the time frame from Clovis (11,200 years ago) up to the Late Prehistoric. Most important are the Clovis and Folsom (10,800 years) ago finds at Kincaid Rockshelter, excavated in the late 1940s and early 1950s (numerous publications by M. B. Collins, UT-Austin). While there are likely no limestone outcrops in the Quihi area, of the type in which 41UV2 is located, the site is within the same general environmental context, and this clearly indicates that Clovis and Folsom materials can be

expected in the Quihi area. Indeed, they already have been, as I will point out below.

4. **Scorpion Cave (41ME8).** This is a small rockshelter on the Medina River roughly 8-10 miles E of the project area. While the kinds of geologic outcrops in which Scorpion Cave occurs are unlikely in the project area, the site contains archaeological materials which will be important to the analysis and understanding of Quihi area cultural resources. A definitive publication by Highley, et al. is found in the 1978 *Bulletin of the Texas Archeological Society*.
5. **41ME30.** This is a “sinkhole” burial cave found 20 miles due west of the proposed quarry related to the railroad. Indeed, it is within the same geological/topographic/environmental context as the quarry area. Several Native American burials were found, dating roughly to the Late Archaic, in the late centuries B.C. Sinkhole burial caves are common in Medina, Uvalde, and other southcentral Texas locales, both on the Plateau and just south of the escarpment. During my personal research in the Quihi area, an individual told me of a large sinkhole either at or very near the proposed Vulcan Materials quarry. I hasten to add that I have no first-hand knowledge of this. However, if it or other sinkholes are in that area, and in the northern reaches of the railroad they must be fully investigated. (see Bement book published by UT Press).
6. **41ME53 and the Quinta Medina Project.** In the early 1990s, the Institute of Texan Cultures and the Southern Texas Archaeological Association carried out two field schools at the Quinta Medina site and environs, just a couple of miles southeast of Quihi on the Quihi-Castroville Road. Excavations at site 41ME53 provided evidence of occupation for more than 5000-6000 years. Archaeological surveys in the area revealed other sites. This area is in an environmental context identical to the Quihi/railroad project area and has to be considered in terms of further research and analysis. Publications are to be found in *La Tierra* Vol. 19, #2, 1992, pp. 14-28, and Vol. 20, #1, 1993, pp. 12-26, both papers authored by Thomas Guderjan et al.

An overview of the archaeology of the zone within which this STB subject report is based can be found in Hester, T. R., “Early Human Populations Along the Balcones Escarpment,” in *The Balcones Escarpment*, P. Abbott and C. M. Woodruff, Jr., eds., Geological Society of America, 1986, pp. 55-62. Some of the sites noted above are mentioned in that synthesis, although the paper is now dated and some of the other sites have been studied or published since it was prepared.

(b) Personal scientific research in the prehistory of the area

Over the past year or so, I have been a personal study of archaeological collections and sites on the Mangold Ranch near Quihi. My interest in these lies in the fact – which further subject project studies must area—that this area is largely unknown in terms of Texas prehistory.

One of the sites, **41ME132** [official State of Texas site number], the Gap Site, is directly beneath or at least closely adjacent to Alternative 3 of the proposed railroad route southeast of Quihi. This site has just been barely studied. However, a test pit dug by the late Buddy Mangold, found a zone of Frio points just below the surface. Further exploration could (1) expand our knowledge of the Late (Transistional) Archaic by better defining this Frio-age campsite or (2) could find earlier, stratified deposit below Frio. This site is on a terrace of Quihi creek, and while no geoarchaeological studies have yet been done at the site, it appears that Quihi creek has shifted its channel repeatedly in this zone (cf. 41ME34). This site alone points out the errors of the statements re: site occurrence found in the subject report.

However, it is site **41ME133** (the Buddy Mangold site) that points out the incredible deficiencies in the treatment of prehistory in the subject report. This site was partially excavated by the late Buddy Mangold in the 1990s. Much of the site remains intact. The artifacts from the site are incredibly extensive, as I am sure will be the case at many sites yet to be found in the Quihi area.

Although my analysis of the collection is far from complete, I have already identified a Folsom end-scraper (10,800 years ago), and even more importantly, a substantial number of Wilson points. The stemmed Wilson type is a poorly known, but well-dated, Paleoindian time marker in the 10,500 year old time frame. The key site for this type is Wilson-Leonard near Austin, published by Michael B. Collins in a 5-volume report in 1998. Collins tells me that aside from the Wilson-Leonard site, the Buddy Mangold site contains more of these points than any other site in Texas. There are also Plainview, Golondrina, and Angostura points at the site (10,200-8,800 years ago).

Moreover, the Archaic and Late Prehistoric artifacts are in great abundance, representing the broad time frame from 8,000 years ago up to about the time of Spanish contact. Indeed, there are some points that appear to be of the Guerrero type, associated with Indians of the Spanish Mission period in the 18th century. There is also a piece of obsidian—volcanic glass that does not occur in Texas. I have led the study of Texas obsidians since 1970, working with nuclear chemists at the Lawrence Berkeley National Laboratory in Berkeley, CA. Obsidian is very rare in this part of the state, yet our precise geochemical sourcing places some of it as coming from geologic outcrops as far away as southern Idaho (the Malad source) and from sources in northern New Mexico (several sources in the Jemez mountains). We have not yet had this obsidian fragment sourced, but it is reflective of the widespread trade networks that ran along the margin of the Edwards Plateau, and is part of a pattern that extends westward into Uvalde County.

As best as I can tell with limited data, 41ME133 lies outside (perhaps 1.5 mi E) of any of the proposed railroad routes. However, its importance goes farther than immediate impact. It is reflective of the long time depth of Native American prehistory to be expected along Quihi creek and any of its (now) small drainages. It is reflective of intensive prehistoric populations, of trade contacts, and of continuity into the Spanish Colonial period. These sorts of patterns should be expected at other Quihi/project area sites, as ancient “hunters and gatherers” were highly mobile and didn’t just occupy single sites like 41ME133!

2. Implications for Surveys and Excavations Related to the Subject Project

While archaeologists know very little about the archaeology of the project area (that in itself is cause for intensive investigation), what we do know provides hard evidence that it lies in an area of extreme archaeological significance. It is surrounded by important sites, many of which I have listed and some of which are in similar if not identical environmental contexts. We know from 41ME132 and 41ME133, in the midst of the project area, that extensive prehistoric remains are predictable, and will likely extend back almost 11,000 years at some sites. However, the whole chronological range of human prehistory in the area is likely to be found in various forms at any number of sites (e.g., 41ME34, and even closer, 41ME53). Because of the nature of the formation processes in the local geology, any archaeological survey that is worth its salt will have to employ an experienced geoarchaeologist or geomorphologist to identify likely site areas, changes that are more recent in time, etc., and there will be a pressing need for an extensive program of backhoe trenching to reconstruct the Holocene geology and to develop a model of site location. It can be predicted that any number of sites will lie in the path of the subject railroad or its alternatives. In order for NEPA, Sec. 106, or any number of other permitting processes to go forward, hundreds of thousands of dollars will have to be spent on archaeological survey and geomorphology. The mitigation of only two or three sites would likely cost into the millions of dollars based on modern archaeological standards at the Federal and State level.

3. Implications for Historic Archaeology

While STB Finance Docket 34248 report on cultural resources does a more useful job of treating the numerous historic sites in the project area, it falls far short of what is to be expected, the significance of these sites, and the great amount of work (and money) that will go into their investigation. The stone (and other structures) of 1850s Quihi represent one of the most remarkable, surviving constellations of early architecture in southcentral Texas. In my own experience, it is unique. To date, the Quihi and New Fountain Historical Society has already filed with the Texas Historical Commission more than 30 **Endangered Historic Property Identification Forms** as part of the THC’s new HELP program. These forms contain details on the structures, their ages, and are accompanied by photographs. However, there are at least 60 known structures of this vintage. Many of these are in the path or will be impacted by any of the 3 alternative subject railroad routes. This means that formal site assessments will have to be done – the use of

professional preservation architects, measured drawings, high quality photographic documentation, oral histories, and archaeological investigations all being part of such studies

This is a highly time consuming and very expensive endeavor, but these sites are part of the history of the development of Texas and cannot be given short shrift. Neither can they, or their archaeological deposits, be “preserved” by having them “moved” to a “protected” location! There are stories, not yet confirmed by me, of a special cemetery set aside for Native American remnant populations in the area. This will require extensive Native American consultation, probably with the Mescalero Apache (who represent the Lipan Apache on a Federal level), the Kickapoo, and the Lipan Apache Tribe of Texas, a very active (or activist) group in San Antonio.

It is also apparent that the preliminary cultural resource assessment did not identify a property registered in the Texas Family Land Heritage Program, slated to have the main route or an alternate rail route go right through the middle of it. This program has been around since the 1970s, and is a favorite of the State government, particularly the Secretary of Agriculture. This will be a highly sensitive issue, to say the very least, and should the routes continue to be slated for the property, a great deal of very expensive historical archaeology will have to be carried out.

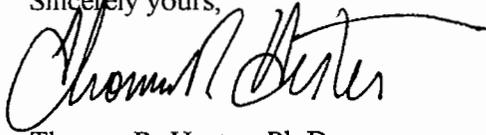
4. Closing Observations

It is likely that no worse area in south central Texas could have been chosen for a quarry and railroad facilities than the Quihi region. This is one of the richest areas for studying the historical development of Texas, and is incredibly important in terms of the preservation in place of many of the buildings and related aspects of this historical record. In addition, this is an area where no substantial archaeological work had ever been done before, but which even the most minimal research has demonstrated the high probability for the discovery of numerous, and important, archaeological sites. These will have to be fully assessed and perhaps in some cases, fully excavated (mitigated). This issue has already been brought to the attention of the Texas Historical Commission and the Advisory Council on Historic Preservation. The subject applicant should have funded historical and archaeological research well prior to land purchases and planning if the applicant hoped to avoid the destruction of important pieces of Texas history and prehistory – which can now be done only at a very high cost in time and money. This is an issue that we as professional archaeologists, the Texas Historical Commission, and other agencies have been trying to make clear to developers at all levels for decades.

Now, we are left facing a potential disaster in terms of the historical and archaeological record. It is therefore incumbent on the STB to require extensive and well planned historical and archaeological studies in the area prior to permitting any rail construction. If the STB does not follow its mandate, there are other Federal and State regulatory agencies waiting in the wings to make sure that this process is done properly.

Thank you for the opportunity to provide these data and these comments.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Thomas R. Hester". The signature is fluid and cursive, with a long horizontal stroke extending from the end of the name.

Thomas R. Hester, Ph.D.
Professor of Anthropology, Emeritus
The University of Texas at Austin

mailing address:

PO Box 625

Utopia, TX 78884

email: secocreek@ricc.net

phone: 830-966-3626

Some of the original attachments to this document included color photographs or large-sized paper. For scanning purposes, the attachments here have been reduced to 8-1/2 x 11" size and are black and white.

#E1-314
RY

The Medina County Environmental Action Association, Inc.

202 CR 450, Hondo, TX 78861

Phone 830-741-5040

Fax 830-426-2060

November 3, 2003

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STB

Victoria Rutson, Chief,
Section of Environmental Analysis
Surface Transportation Board
1925 K Street NW Room 500
Washington, D.C. 20423

FD 34284

Subject: Docket #34284

Response to preliminary Section 106 Report of the Surface Transportation Board

Ms. Rutson:

The remarks I am submitting are based on information in this report, and additional factual information we wish to bring to your attention. We note omissions as well as errors in this report. These include (but are not limited to) the following:

1. **Flooding of historic sites and structures due to railroad berms or trestles:** This is the most glaring omission of all. Please see the enclosed floodplain map. Identified historic sites are indicated in red. (*Exhibit 1*) There is no mention in the report of damage caused by flooding of antiquities and historical homes, churches, schools, cemeteries caused by the railroad crossings of the Elm, Quihi and Cherry Creeks. We previously submitted testimony as well as pictures as evidence of verifying the frequency and severity of flooding in these areas. A railroad track placed on berms with or without culverts, or on trestles, will act as a dam because of the huge amount of debris that comes down the creek. This impounded water will flood antiquities and historic sites both above and below their placement when the structures give way. (*Exhibit 2 - at Junction of CR365 and CR4512, at Schweers historical Alsatian house*) Excessive flooding occurred in the Hondo Creek and Quihi floodplain in 1997 when the Union Pacific Railway trestles (crossing the Hondo Creek), gathered so much debris that it acted as a dam, and then broke loose later. Many properties and homes were flooded in that event, and rescue workers were evacuating families who had never been in any danger in other floods. Enclosed are some photos of the 1997 flood taken by a neighbor on CR 454, which is only one of several roads that flood regularly. (*Exhibit 3*) Notice the amount of the debris on just that one road. Also notice the debris caught high in the trees, which shows the level of the water during the flooding. Who would be responsible for taking the debris out of the Quihi Creek at the railroad trestle during flooding so that this does not happen again? Who would be responsible for the flooding damage due to this debris accumulation and subsequent release? Enclosed is a photo showing the huge amount of debris that has floated down the Helotes Creek, as an example of how much debris can come down a creek during floods. (*Exhibit 4*) This pile of debris is within the city limits of Helotes, on the Vulcan quarry site. According to U. S. Corps of Engineers Nationwide Permit No.14 and FEMA regulations, structures are not allowed to be constructed if the impounded water causes the above-mentioned flooding hazards. In view of this, we request that the required research be done by the STB and that the results be verified by the Corps of Engineers and FEMA. We believe this research will confirm our belief that the railroad in its' proposed and alternative routes one, two, and three is unacceptable if the railroad track is constructed on berms or trestles. No mention is made of the impact on crossing County Roads 454, 4516, 4512, 4517, 365, and 353 (twice). County road 4512 is ENTIRELY omitted from this report. These are gravel roads, portions of which all lie in flood plains. These county roads and state road FM 2676 all must be crossed by the proposed route as well as all alternative routes. These railroad crossings at grade level or on trestles or berms will cause damage to these roads by impounding flood waters which will in turn flood historic structures and sites. We question the business logic of placing a

railroad with grade-level crossings in known floodplain areas, which would render them impassable and or severely damaged in times of flood and washouts, and which would necessitate costly replacement and high upkeep and maintenance costs.

2. **State Hwy FM 2676** (the only road to San Antonio) Part of FM 2676 also lies in the floodplain, and grade level rail line crossings will also cause flooding of the antiquities that lie on FM2676 and in the floodplain. Grade-level crossing of FM 2676 should not be permitted. Also, grade -level crossings will result in certain fatalities, and will cause unnecessary delays to commuters, school buses, police, fire, and EMS services. This could be avoided by grade separation structures on FM2676, which Vulcan /SGR is apparently unwilling to construct.

3. **Pipeline and Pumping Station:** There is no mention of a crossing on CR 4512. The proposed route and alternative routes 1 and 2 show the rail line crossing this county road and CR365 in close proximity to Duke's Energy pumping station, which is located near the junction of CR365 and CR4512. (*Exhibit 2*) During flooding, which has happened nearly every year - sometimes more that once a year, the water will be as high as 3 to 5 feet at this junction. Maps supplied by STB show the railroad track being in close proximity to the pipeline. There is no mention of how this potential hazard will be managed. The railroad crossing of CR365 is at a very critical location in the Quihi creek floodplain and there is potential for flooding nearby antiquities as well as the pumping station. (*Exhibit 1*) The harmful effects of vibration on the pipeline caused by construction and operation of the rail line also need to be addressed.

4. **There were many settlers along the Quihi floodplain.** There is an erroneous statement made on page 10 regarding the "unlikelihood of artifacts being found in the Quihi Creek region because there was no year-round source of water to sustain inhabitants". From the earliest records of the area a body of water known as Quihi Lake was present. This body of water arises from the artesian zone of the Edwards Aquifer and has flowed in spite of droughts. It is fed by springs along the Quihi Creek (*Exhibit 5 - the creek at this location has been running almost continuously*) It was Quihi Lake and numerous springs along the Quihi Creek in this area that prompted Henri Castro to bring Alsatian and German settlers to this place and found the town of Quihi in 1846. (*Exhibit 6*) Enclosed is an account of the Quihi area written in 1879 by the first Hungarian settler in Texas, Mr. Rudolf Schirobiny, who made his home in Quihi in 1847. (*Exhibit 7*) He mentions that there were 60 families in Quihi in 1879, and lists the names of the first 24 families who came in 1846. Early settlers not only obtained water from the Quihi Lake and Quihi creek, but also obtained water from hand-dug shallow wells 10-20 feet in depth. Many of these wells still exist and are being used. Thus to state no sustainable source of water is not true. It is widely known that there are many Indian artifacts in this area, indicating that this was a favored area for water and game.

5. **Texas Family Land Heritage Program:** Omitted also from the report is the fact that all of the proposed and alternative routes pass through the Gerdes Ranch, which was registered in 1986 with the Texas Department of Agriculture in the Texas Family Land Heritage Program. Enclosed is a copy of the listing of the Gerdes ranch in the Texas Family Land Heritage records (*Exhibit 8*) This ranch consists of 320 acres and has been given special recognition because it has been continuously operated by the Gerdes family for over 100 years, since 1881. Strict guidelines apply for qualification for this recognition. This ranch would be cut in half by the proposed railroad. This should not be allowed. This ranch is marked on the enclosed floodplain map.

6. **Four-Mile Waterhole:** Also omitted from the preliminary report is a study on the Four Mile Waterhole. For the protection of the settlers in the mid-1800's, the U.S. Cavalry had a camp known as Soldier's Camp, on the Verde creek. The Cavalry would send out scouts daily to find Indians, and would ride up as far as the waterhole, which was four miles from the Soldier's Camp, to water their horses. It is a spring -fed waterhole that has never gone dry. It has always been known as the Four-Mile Waterhole. According to STB map, alternative route 3 is very near this site. See map. Approximate location is marked, just south of the rail loop. Picture is enclosed. (*Exhibit 9*)

7. **Indian sites:** Also omitted from the report was any investigation of the reported Indian mounds in the rail loop portion of the quarry. These mounds were reported on August 7, 2003, to your department. Included was a map showing the location of the reported mounds. I am again enclosing these materials with this report. (*Exhibit 10*)

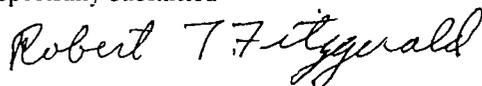
8. **More Indian Sites:** On the Schorobiny Survey No.29 , lies an Indian burial ground. In 1916 several Indians had died from measles, and were not allowed to be buried in the local cemetery. Michael Schorobiny, son of Rudolf Schorobiny, donated one and one-half acres out of his tract for their burial. (*Exhibit 11*) Also on the Schorobiny tract is the home and family cemetery. This important historical site needs to be researched. Alternative route 1 goes through the Schorobiny tract.

9. **Vibration Study:** In reviewing the vibration study dated October 23,2003, it is stated that pile driving activity, which would endanger historical structures, will not occur as part of the proposed project. (Vibration Study, page 2,1.2.1.1 Construction). On October 31, I was informed by Rini Ghosh by telephone that the railroad will cross county roads and floodplains on trestles. You did not say, nor does the report, how these trestles will be put in place during construction. This again demonstrates lack of thorough research.

10 **Adverse effects on historic properties:** Lastly, this is an important historical area, and possesses a serene beauty that is rarely seen in present times. Many people, including the legislature and other persons prominent in historical preservation, are recognizing the fact that our historical and cultural heritage is fast disappearing and are making extreme efforts to preserve this heritage. Enclosed are copies of the Executive Order to Preserve America issued by President George Bush, and remarks made by Laura Bush. (*Exhibit 12*) This railroad project would utterly destroy this heritage and the beauty and peace that abounds in the Quihi area. The history as a community that endured hardships, and the pride that remains visible as a testament to those turbulent times in the mid 1800's will be greatly compromised if not wiped out entirely. Numerous historic properties, both listed and potential, are located where the rail crosses CR 365 and the Quihi floodplain. (Henry Schweers house, Schweers cemetery, William Schweers house, and the Schuele-Saathoff house NHRP.) Under Section 106 Regulations, Sec. 800.5 (a)(2)(v), which describes adverse effects, the introduction of a railroad in this setting would constitute adverse effects, because it would directly alter the characteristics of these properties that could qualify them by diminishing the integrity of the properties' setting, location, and feeling.

In conclusion, it is obvious that further research of the route for the proposed railroad needs to be done. Vulcan Materials boasts that it wants to be a good neighbor to those living in the same region that it mines and ships its materials through, yet Vulcan has been involved in many lawsuits for endangering the local populace and causing nuisances in Texas towns, such as in Helotes in 1989. In Tehuacana in 1990, Vulcan sued the city for not allowing them to blast in city limits, and the people prevailed. If this is to be a "model project" as Vulcan has proposed, it should not be done by sacrificing historical sites, antiquities, private property, and the lives of those in this region. The solution to this is obvious. Relocate the rail line to a location that does not impact on these antiquities and historical sites in the floodplains. In 1912, a rail line was built from Dunlay to the Medina dam site to construct the Medina Dam and diversion dam. This rail line was constructed on suitable terrain. This route was in close proximity to the proposed quarry site, and although somewhat longer, it would not impact on the historic sites and would avoid flooding in the Quihi creek floodplain area. There is no mention of why this route was not considered. To build the railroad through a floodplain which contains antiquities and historic sites will surely destroy them.

Respectfully submitted



Robert T. Fitzgerald, President

MCEAA

Encl:

NATIONAL FLOOD INSURANCE PROGRAM

FIRM FLOOD INSURANCE RATE MAP

MEDINA COUNTY,
TEXAS
(UNINCORPORATED AREAS)

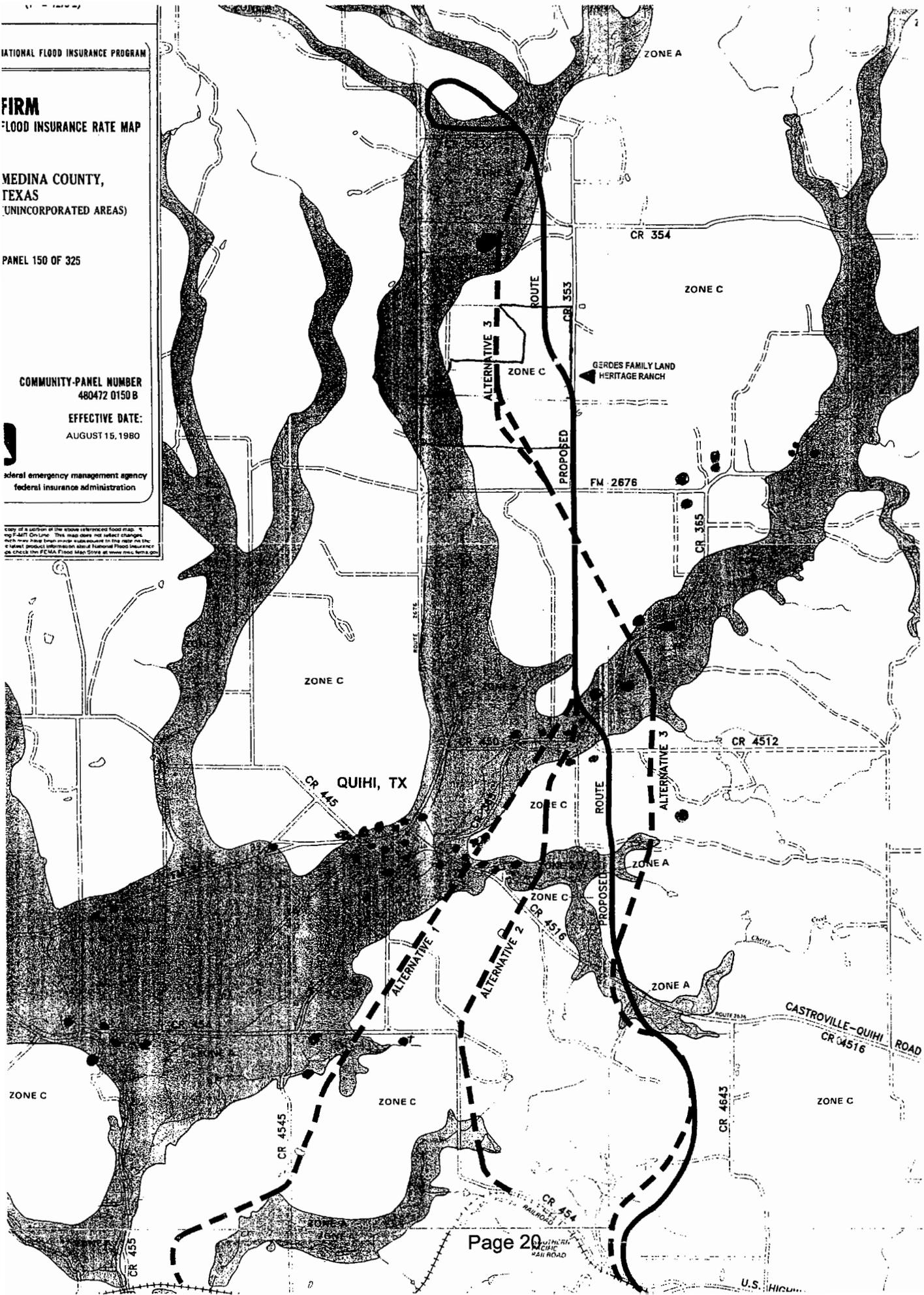
PANEL 150 OF 325

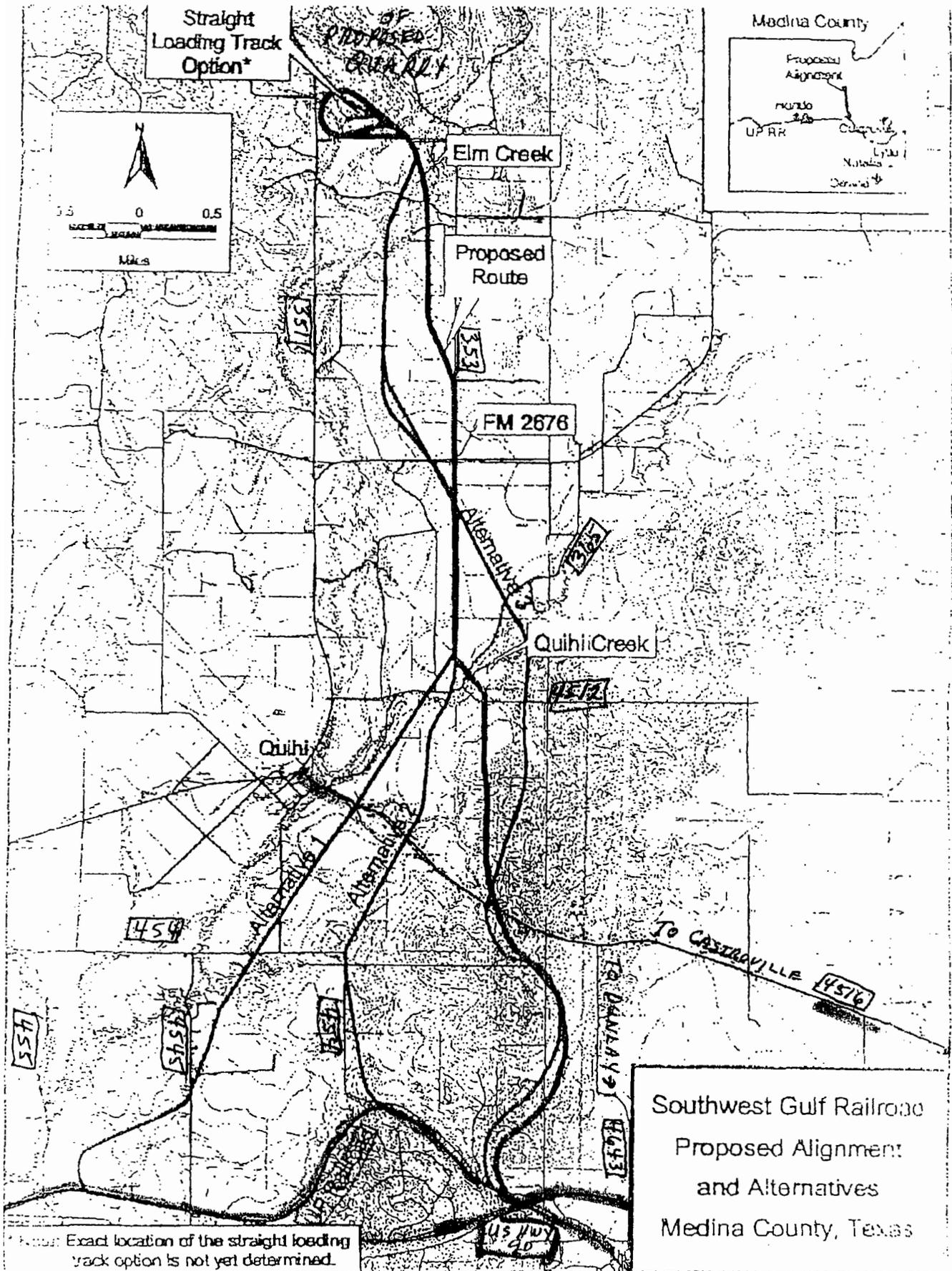
COMMUNITY-PANEL NUMBER
480472 0150 B

EFFECTIVE DATE:
AUGUST 15, 1980

Federal emergency management agency
federal insurance administration

copy of a portion of the above referenced flood map. It
may be used for informational purposes only. This map does not reflect changes
which have since been made or may be made in the future. For the latest
and most current information about National Flood Insurance
Program, check the FEMA Flood Map Service at www.msc.fema.gov







11-03-03 Junction of CR 365 and CR 4512

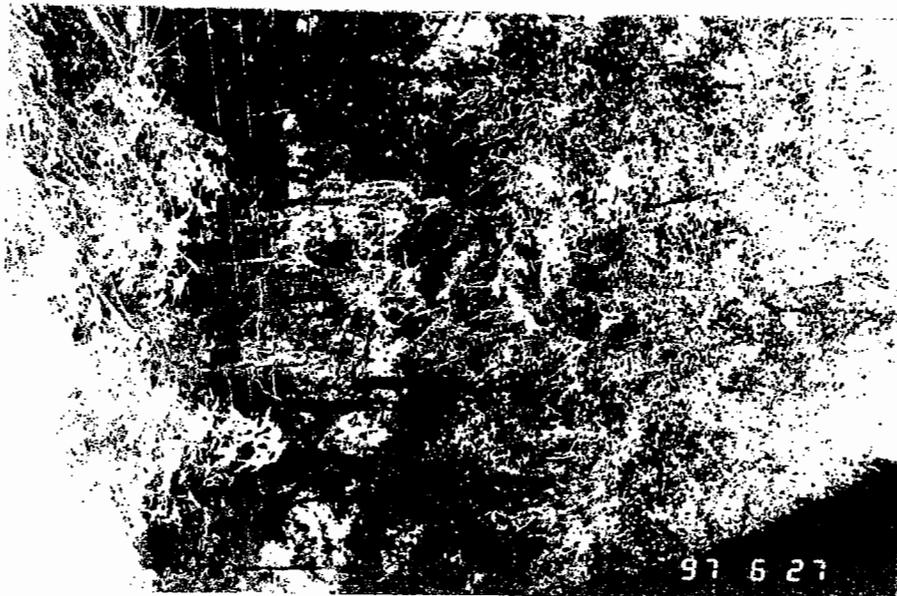


EXHIBIT 3









NOTE DEBRIS IN TREE BRANCHES



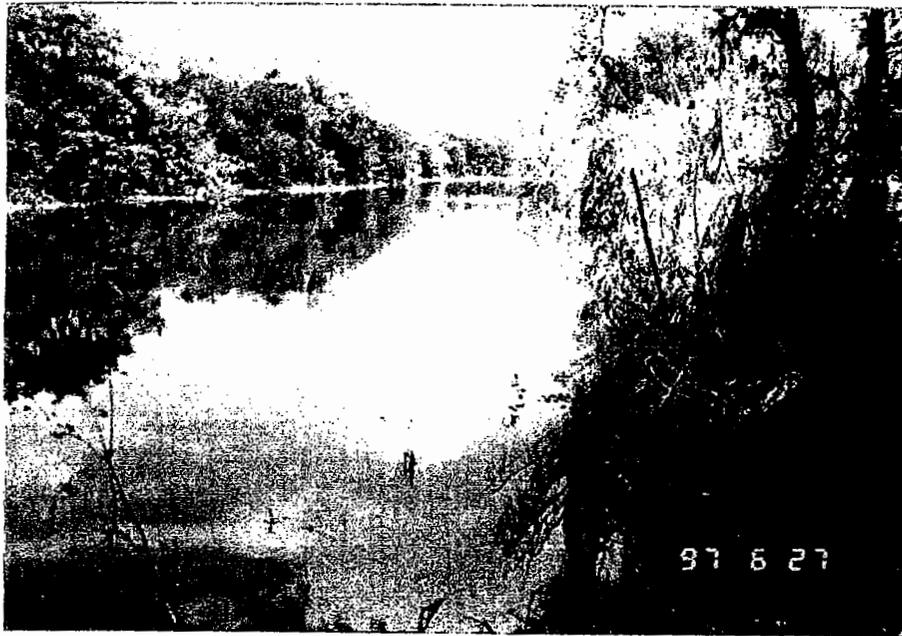
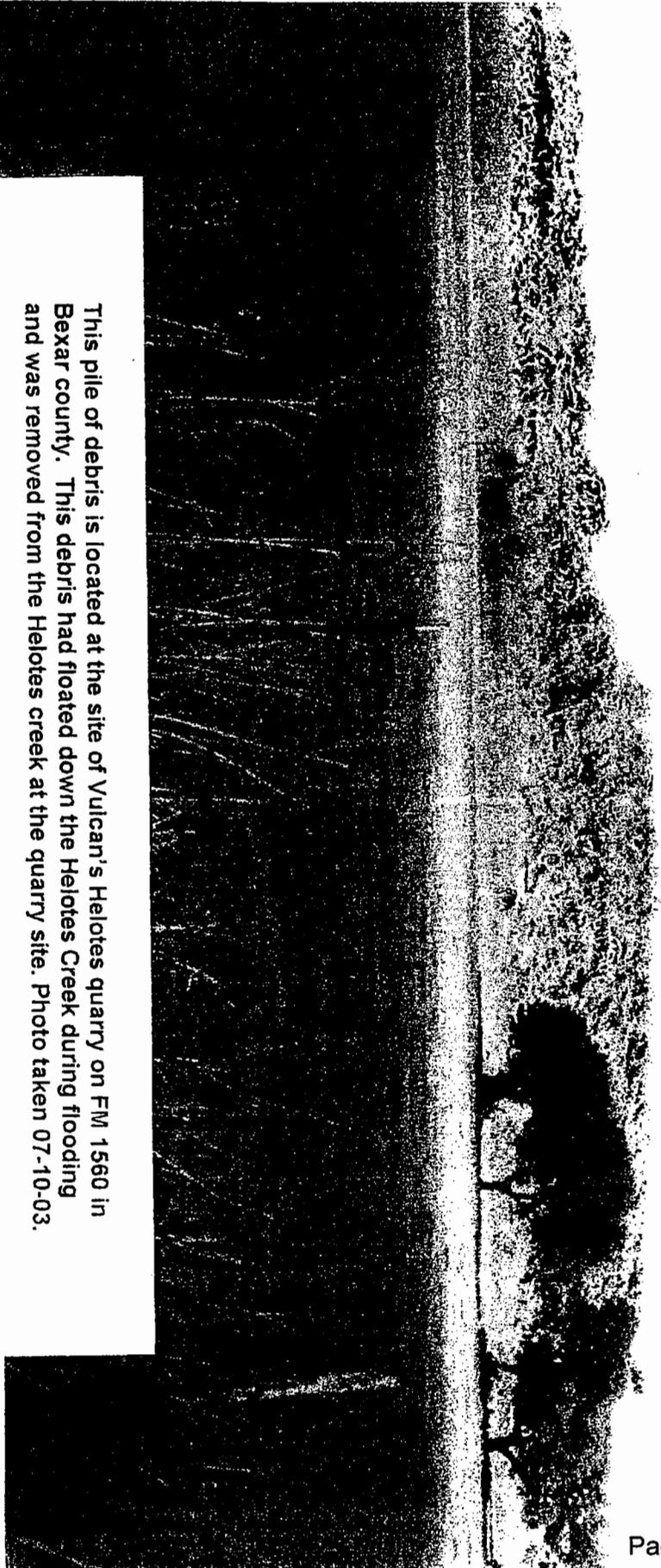
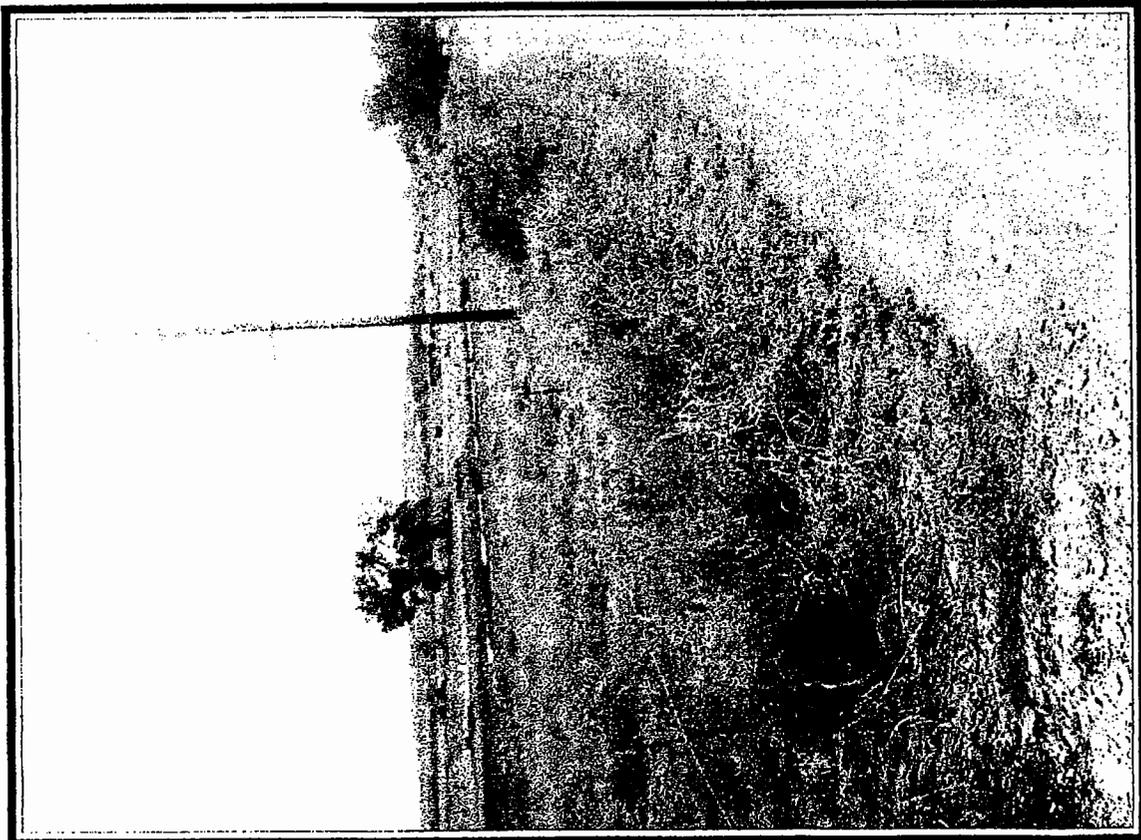
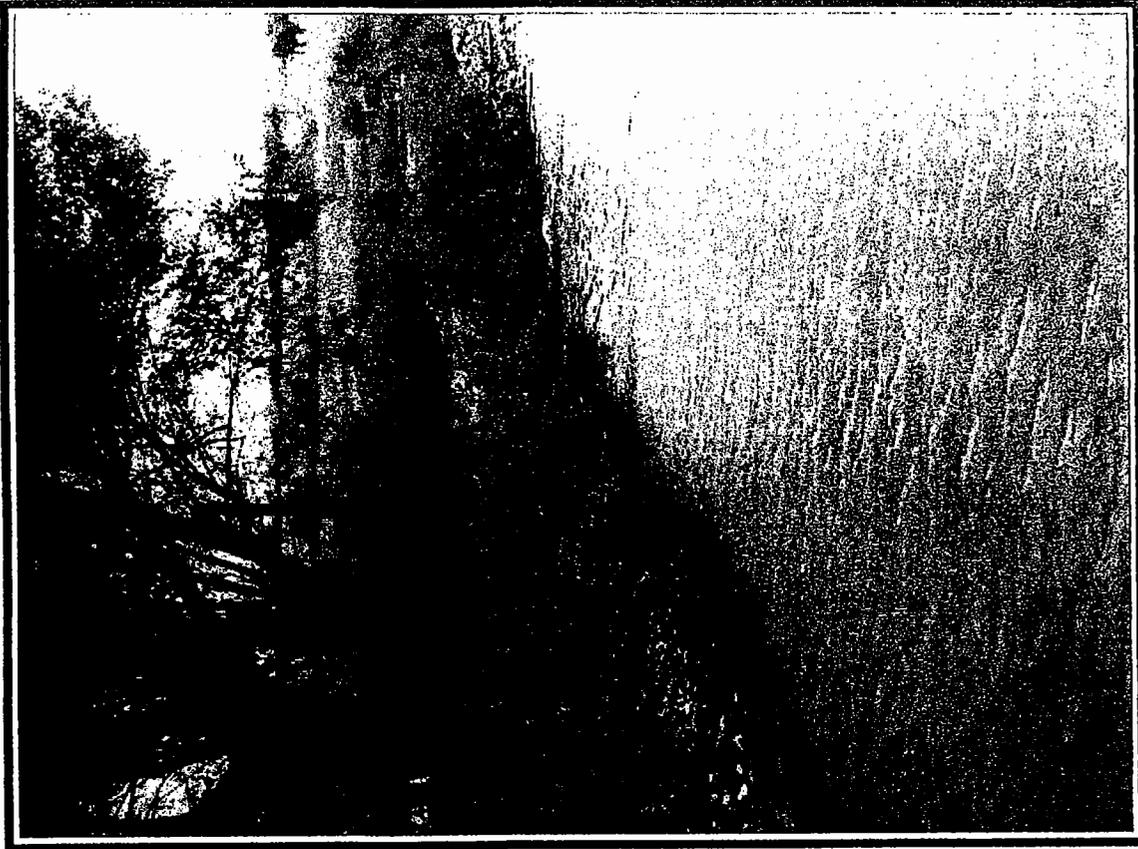


EXHIBIT 4



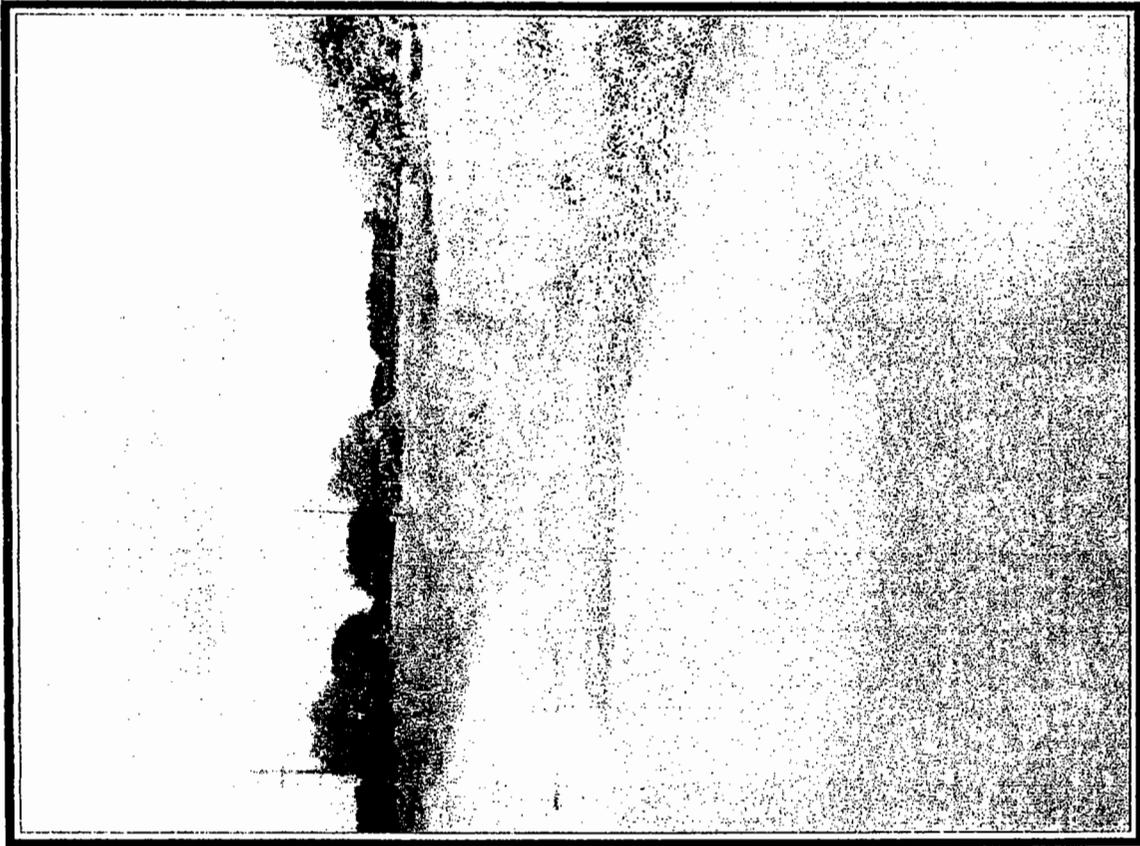
This pile of debris is located at the site of Vulcan's Helotes quarry on FM 1560 in Bexar county. This debris had floated down the Helotes Creek during flooding and was removed from the Helotes creek at the quarry site. Photo taken 07-10-03.

EXHIBIT 5



The Quihi Creek crossing CR 365 (11-3-03)

EXHIBIT 5



The Quihi Creek crossing CR 365 (11-3-03)



Rudolf Scharobiny

EXHIBIT 7



Castro Colonists Heritage Association

HISTORICAL RESEARCH COMMITTEE NOTES

Items of historical interest pertaining to early Medina County

Volume 1, No. 2

Castroville, Medina County, Texas

April 1977

HISTORY OF THE SETTLEMENT OF QUIHI

By Rudolph Schorobing

Below we give a very interesting account of the early settlement of Quihi, situated thirty-five miles west of San Antonio, written by Mr. Rudolph Schorobing, one of its best citizens. Mr. S. was the first farmer in that neighborhood to successfully grow a crop of onions in that settlement, and is known for his intelligence and worth. We commend this article to prospective colonists, who can thus learn of the trials of the early settlers in western Texas, and the bright picture of prosperity this little colony presents today.

How different the experience of the immigrant today: he finds no Indians to molest him, and the school house and church already built, and the path of the wilderness blooming with civilization.

Quihi, Medina Co., Texas,
Sept. 1, 1879

Lorenzo Castro, Esq.,

Dear Sir: I beg to acknowledge receipt of your favor of Aug. 15, as well as of the copies of the Texas Sun you had the kindness to send me. In complying with the wish you expressed that I should give you some information concerning the beginning of our settlement at this place, I must rely upon your kind forbearance, as I have to write from memory, not having made any written notes.

In the commencement of March, 1846, the first settlers, numbering about twenty-five families, started for the new colony of Quihi, on the Quihi creek, ten miles west from Castroville. It was a lovely landscape, encircled with mountain ridges, of highly fertile soil, with good water, and an abundance of building and fence material. To every family a city lot of twenty acres was gratuitously given by the founder, Mr. H. Castro, apart from the head right of 320 or 160 acres. Mr. Castro appointed two men, James Brown and David Burnham, to provide the colonists with game, which abounded in the neighborhood, and as they were experienced and practical men, to advise and superintend the colonists. A Mexican by the name of Aug. Trevino proved himself very useful as teamster and instructor in cattle raising. The agriculturists were furnished with corn meal and bacon, together with some implements. Everything was progressing finely, and everybody was busy to build houses and plant corn when a dreadful blow was dealt to our Colony. The family of Brinkhoff consisting of five persons located in the so called lower village, were murdered by Comanche Indians; which sad event caused a portion of the colonists to leave the place, and move to San Antonio or other regions.

At this point you will pardon a slight digression from the subject proper, as I must briefly dwell on an episode intimately connected with myself.

In May, 1846, Dr. Acke, the brothers Horn, and myself, started from Houston to Castroville, intending to join Castro's colony; having settled at Quihi, we for a short time tried farming; but none of us possessing either sufficient experience or means, this agricultural society in consequence of trials, disappointments and sickness, quickly dissolved, and we parted. At this time, August 1846, John Connor was forming a company of rangers for the protection of the settlers against the redskins, which company I joined at Castroville, the recruiting station. Two months later we were enlisted in the U. S. army for twelve months, and after having done duty in western Texas and Mexico, we were discharged at the end of one year. Having saved a few hundred dollars from my pay, I settled on my head right in the colony of Quihi, where I married and again began to farm, being, according to the notions of that time well provided with all the means of living. Yet I had lived there hardly three months, when one day in February, 1848, a troop of Lipans and Kickapoos entered our village in broad daylight, during my absence. They murdered Bleasus Meyer, who was engaged in farm work, a few steps from my place, and having robbed our house of everything, they forced my wife to ride away with them. She however, had so much presence of mind, that after the distance of a half mile she jumped from her horse and concealed herself in a neighboring thicket. The Indians fearing pursuit, fired several arrows at her, one of which wounded her in the spine. Still she was left so much strength, that she could reach the colony, where she found good nursing at Mr. Baptiste Schmidt's house, so that she recovered in a short time. Here I consider it my duty to make mention of the kindness of Mr. Castro. From time to time he visited our settlement, making inquiries about the condition of every settler, and trying to alleviate their wants; hence, having become informed of my heavy loss, through the Indians, he not only sympathized with me, but also presented me with a town lot of considerable size in Quihi town, where we dwelt for six years till we removed again to the place where the redskins had plundered us.

Pardon, dear sir, this deviation of mine, whereby I solely intend to do justice to Mr. Castro's often misjudged character, for through a friend of mine, Major Florian Brauneck, who knew Mr. Castro intimately, I have become acquainted with the great difficulties under which the founder of the colony labored; and I remember well that his officers and agents many times failed to execute his generous aims in behalf of the settlers, and frequently preferred their own individual aggrandizement to the prosperity of the colony. Maj. F. Brauneck once expressed himself to me to that effect, that Mr. Castro would never receive sufficient thanks or reparation for the great personal sacrifices and considerable trouble which he incurred in founding his Texas colonies.

At first our colony made but little headway in agriculture, as the settlers lacked suitable draught animals and necessary implements; moreover the continual danger of fear and prevailing insecurity of life and property, caused by Indian raids, caused our settlers to be despondent and apathetic, yet perseverance, as it will everywhere, carried us through our troubles. The military road built from San Antonio to the Rio Grande, via Quihi, soon led to a marked improvement of our condition; our productions found a good and ready market at the forts which the U. S. Government erected along the Mexican boundary. Our Quihi became a gathering place for the farmers of the neighborhood, and easily and quickly acquired a stately church building, as well as a spacious school. The settlement gradually began to expand; hundreds of acres were put under fence and plow; cattle raising was a paying business, as the military posts required a large amount of beef every year. Altogether, the period immediately preceding the rebellion was one of the highest prosperity for our village and colony. Then came the civil war, and with it a period of regression, as fields and habitations became desolated, and fell a prey to temporary decay. Since then, however, our colony has quickly recovered from its deplorable effects, and has entered on a new era, of which we hope it will endure for many, many years to come. Our village population is increasing steadily; our mode of agriculture is being improved by the appliance of time-saving machines; cattle raising alone suffers somewhat from losses through thieves and raiders. Everybody is busy now-- even those who were lazy before, now vigorously take a part in the general activity of our settlement. Thus we look forward to a happy future with hopefulness and cheerful hearts.

In conclusion, I may be permitted to state to you the present condition of our colony, as far as regards its extent, its population, and its resources.

The lands which the founder of the colony allotted to the several settlers lie from three to four miles in every direction from the centre, represented by our village of Quihi, altogether an area of more than 3000 acres is now in cultivation, of which two-thirds are planted in corn, the rest in wheat, oats and other cereals and vegetables, and every year additional acres of wild lands are again subjugated and reduced to cultivation. In ordinary seasons the productiveness of our soil is such, that it will bring forth twenty-five to forty bushels of corn; ten to twenty bushels of wheat; fifty to seventy-five bushels of oats, while under propitious weather these gains have often been exceeded. The population may justly consider themselves the most prosperous and active in the whole country. The colonists possess a considerable number of good agricultural machinery, and broken draught animals. They always are in the enjoyment of perfect health, as the climate is so very salubrious and mild, and they live in well-built and comfortable dwellings. Schools and churches are numerous and liberally sustained, as they are justly regarded the promoters of order and intelligence. The whole population of the colony, amounting to about 600 heads is distributed as follows: Quihi 60 families; Soldiers' Camp 20; New Fountain 15; Mumme's Settlement or New Vandenberg 15; sum total 100 families. Finally I beg to subjoin the names of those persons who formed the first beginning of the colony. Many of these have gone to their heavenly rest, among them not a few who have met with an untimely end. Still, there are some yet living, who after hard struggles and severe trials are now enjoying the fruits of their labors in peace and contentment.

In Nov. 1846 ten more families coming from East Frisia, joined the Quihi colony; but not remembering the names of all, I herewith omit them from the names of the original members. These were,--

BAPTISTE SCHNIDT	JOHN RIEDEN
AM. REITZER	JACOB RIFF
BL. MEYER	V. BOHNEKAMP
✓H. GERDES	H. WILPERS
H. GERSTING	JAMES SIEVERS
B. BRUCKS	FRITZ BAUER
BRINKHOFF	WENNING
BRICKMANN	OPUS
DEUTERS	JOHN TANCHER
K. SCHNEIDER	RENSING
GASFER	EISENHAUER
LOUIS KORN	DR. ACKE

Yours respectfully,
RUDOLPH SCHROBING

Texas Family Land Heritage



Texas Department of Agriculture
Rick Perry, Commissioner

<i>Dates of ownership</i>	<i>Name</i>	<i>current owner</i>
1884-1908	John Nelson Willis	Great-grandfather
1908-1935	W. J. Willis	Grandfather
1935-1942	Louisiana Catherine Willis	Grandmother
1942-1944	Fannie Willis Jordan	Mother
1944-1954	J. Lewis Jordan	Father
1954-1986	D. R. Jordan	

After settling on a land grant in McCulloch County, John Nelson Willis bought an additional 1,920 acres on which to raise cattle and horses. Little is known about the founder. He and his wife, Elizabeth Ann (Webster), had eight children: W.J., D.D., James, Sarah, John Leroy, Matthew Shook, Mary Ann, and Amelia Texana.

Acres in original parcel: 480 **Acres still retained:** 320
Crops or livestock raised: 1884 - Cattle and horses; 1986 - Cattle

Boehle Ranch

Medina Co.

Location of Ranch: Nine and one-half miles northeast of Hondo

<i>Dates of ownership</i>	<i>Name</i>	<i>Relationship to current owner</i>
1880-1915	F.L. Boehle	Grandfather
1915-Unknown	George and Lisetta Boehle	Parents
Unknown-1986	Lewis R. Boehle	

Born in Quihi, Texas, F.L. Boehle purchased 320 acres of ranchland from Charles DeMontel and Jacob Fritz in 1880. He sold five acres and raised cattle and horses. He and his wife, Antje, were the parents of seven children: Emil, Willie, Henry G., Johanna (Saathoff), George L., Louisa (Kurka) and Wilhamina (Graff).

Acres in original parcel: 320 **Acres still retained:** 315
Crops or livestock raised: 1880 - Cattle and horses; 1986 - Crossbred cattle.

✓ Gerdes T4 Ranch

Medina Co.

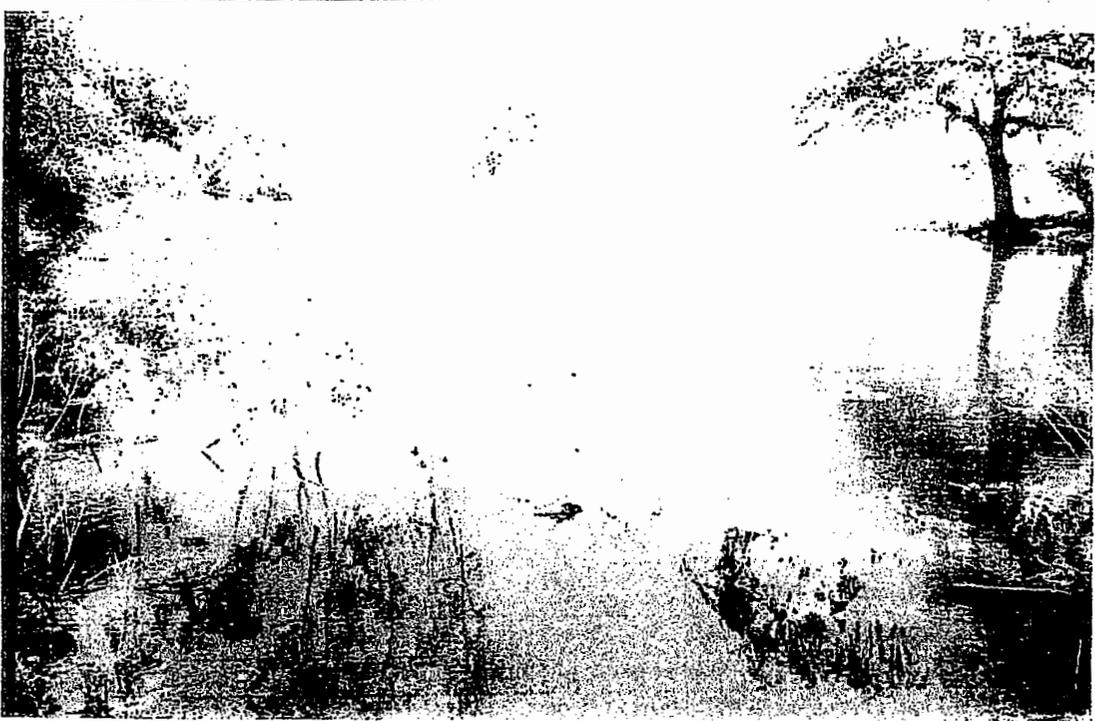
Location of Ranch: Ten miles northeast of Hondo

<i>Dates of ownership</i>	<i>Name</i>	<i>Relationship to current owner</i>
1881-1899	Paul Oefinger Sr.	Great-grandfather
1899-1910	Paul Oefinger Jr.	Grandfather
1910-1923	William and Emilie Oefinger Saathoff	Uncle, aunt
1923-1928	Paul Oefinger Jr.	Grandfather
1928-1969	Herman and Elsie Oefinger Gerdes	Parents
1969-1986	Archie Gerdes	

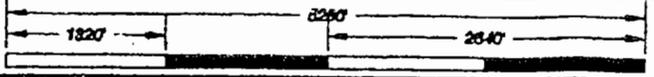
Paul Oefinger, a German immigrant, bought land from Jean Baptiste Schmidt. Oefinger had several encounters with Indians. During one raid when all the horses were stolen, Paul Jr., the oldest child, was hidden under the bed for protection. Paul Sr. and his wife, Anne Marie, had nine other children: Sophia, Anne Marie, Kathrena, Christina, Louisa, Jacob, Ada, Carl and another son named Jacob, who died in early childhood. A barn and part of the founder's house, both more than 100 years old, are still used.

Acres in original parcel: 320 **Acres still retained:** 320
Crops or livestock raised: 1881 - Cotton and cattle; 1986 - Maize, corn, and cattle.

EXHIBIT 9



Scale

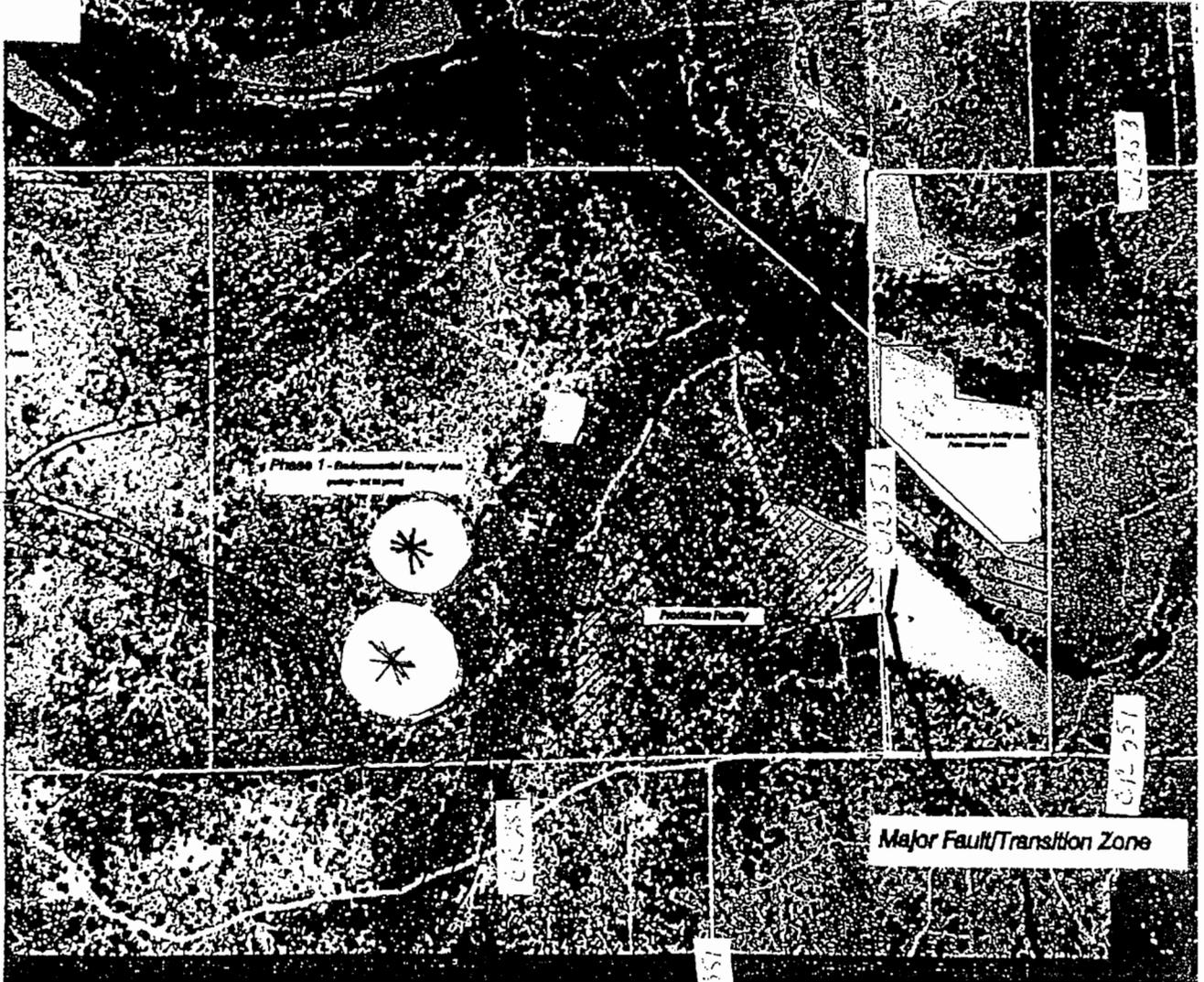


Vulcan Materials Company
 Southwest Division - Medina
 Date of Picture - 09/28/95

Conceptual Draft

EXHIBIT 10

NORTH



Account of siting as seen by David

He was hunting on the Wurzbach place on a four-wheeler. As he & the others hunting with him came upon the site, they stopped and noted to each other there was some sort of Indian mounds. They noticed many large oak trees. Between the oak trees were little mounds or burms. They were very distinct mounds and covered a large area.

EXHIBIT 11



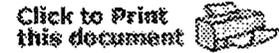
Michael Schorebiny

(Copy of the original measure).

11

M. Schorobiny

Warranty Deed from M. Schorobiny, a single man, to O. A. Grell, Emil Boehle, and H. L. Schuehle, Trustees and Managers of the Quihi Public Cemetery Ass'n., and their successors, etc. For \$20.00...out of Survey No. 29, R. Schorobiny, original grantee...8,464 square varas - or 1½ acres of land...on and along the S. side of the Dunlay and Quihi Road: Beginning at a rock set in the center of the Dunlay and Quihi Road for the S.E. corner of Survey No. 23 James Allison; Thence S. 7 vrs....set under the fence for the N. line of this New Cemetery; Thence E. with said fence line 61 vrs; Thence S. 92 vrs.; Thence W. 92 vrs., for this S.W. corner; Thence N. 92 vrs.; Thence E. with fence and along said road 31 vrs. to the place of beginning. "This cemetery frontage being 92 vrs. E. and W. along the S. side of the Dunlay and Quihi Road as surveyed by H. V. Haass on May 4, 1914...to be used as a public cemetery for all persons without regard to color or religion or politics, and in lieu and replacing Lots Nos. 334-335-336 and 337, in Quihi, heretofore donated by J. C. McKean to the Trustees of Quihi, as per deed recorded in Book A No. 8, p. 53, Medina County Deed Records, and which were today by petition donated to the Lutheran Church at Quihi by the Order of the Commissioners' Court on May 8th., A.D. 1916." The deed is dated May 8, 1916, recorded in Vol. 52, P. 365, Medina County Deed Records, and it is signed by M. Schorobiny.

EXHIBIT 12

For Immediate Release
March 4, 2003

Executive Order: Preserve AmericaRemarks by Mrs. Bush for the National Association of Counties

By the authority vested in me as President by the Constitution and the laws of the United States of America, including the National Historic Preservation Act (16 U.S.C. 470 et seq.) (NHPA) and the National Environmental Policy Act (42 U.S.C. 4321 et seq.), it is hereby ordered:

Section 1. Statement of Policy. It is the policy of the Federal Government to provide leadership in preserving America's heritage by actively advancing the protection, enhancement, and contemporary use of the historic properties owned by the Federal Government, and by promoting intergovernmental cooperation and partnerships for the preservation and use of historic properties. The Federal Government shall recognize and manage the historic properties in its ownership as assets that can support department and agency missions while contributing to the vitality and economic well-being of the Nation's communities and fostering a broader appreciation for the development of the United States and its underlying values. Where consistent with executive branch department and agency missions, governing law, applicable preservation standards, and where appropriate, executive branch departments and agencies ("agency" or "agencies") shall advance this policy through the protection and continued use of the historic properties owned by the Federal Government, and by pursuing partnerships with State and local governments, Indian tribes, and the private sector to promote the preservation of the unique cultural heritage of communities and of the Nation and to realize the economic benefit that these properties can provide. Agencies shall maximize efforts to integrate the policies, procedures, and practices of the NHPA and this order into their program activities in order to efficiently and effectively advance historic preservation objectives in the pursuit of their missions.

Sec. 2. Building Preservation Partnerships. When carrying out its mission activities, each agency, where consistent with its mission and governing authorities, and where appropriate, shall seek partnerships with State and local governments, Indian tribes, and the private sector to promote local economic development and vitality through the use of historic properties in a manner that contributes to the long-term preservation and productive use of those properties. Each agency shall examine its policies, procedures, and capabilities to ensure that its actions encourage, support, and foster public-private initiatives and investment in the use, reuse, and rehabilitation of historic properties, to the extent such support is not inconsistent with other provisions of law, the Secretary of the Interior's Standards for Archeology and Historic Preservation, and essential national department and agency mission requirements.

Sec. 3. Improving Federal Agency Planning and Accountability. (a) Accurate information on the state of Federally owned historic properties is essential to achieving the goals of this order and to promoting community economic development through local partnerships. Each agency with real property management responsibilities shall prepare an assessment of the current status of its inventory of historic properties required by section 110(a)(2) of the NHPA (16 U.S.C. 470h-2(a)(2)), the general condition and management needs of such properties, and the steps underway or planned to meet those management needs. The assessment shall also include an evaluation of the suitability of the agency's types of historic properties to contribute to community economic development initiatives, including heritage tourism, taking into account agency mission needs, public access considerations, and the long-term preservation of the historic properties. No later than September 30, 2004, each covered agency shall complete a report of the assessment and make it available to the Chairman of the Advisory Council on Historic Preservation (Council) and the Secretary of the Interior (Secretary).

(b) No later than September 30, 2004, each agency with real property management responsibilities shall review its regulations, management policies, and operating procedures for compliance with sections 110 and 111 of the NHPA (16 U.S.C. 470h-2 & 470h-3) and make the results of its review available to the Council and the Secretary. If the agency determines that its regulations, management policies, and operating procedures are not in compliance with those authorities, the agency shall make amendments or revisions to bring them into compliance.

(c) Each agency with real property management responsibilities shall, by September 30, 2005, and every third year thereafter, prepare a report on its progress in identifying, protecting, and using historic properties in its ownership and make the report available to the Council and the Secretary. The Council shall incorporate this data into a report on the state of the Federal Government's historic properties and their contribution to local economic development and submit this report to the President by February 15, 2006, and every third year thereafter.

(d) Agencies may use existing information gathering and reporting systems to fulfill the assessment and reporting requirements of subsections 3(a)-(c) of this order. To assist agencies, the Council, in consultation with the Secretary, shall, by September 30, 2003, prepare advisory guidelines for agencies to use at their discretion.

(e) No later than June 30, 2003, the head of each agency shall designate a senior policy level official to have policy oversight responsibility for the agency's historic preservation program and notify the Council and the Secretary of the designation. This senior official shall be an assistant secretary, deputy assistant secretary, or the equivalent, as appropriate to the agency organization. This official, or a subordinate employee reporting directly to the official, shall serve as the agency's Federal Preservation Officer in accordance with section 110(c) of the NHPA. The senior official shall ensure that the Federal Preservation Officer is qualified consistent with guidelines established by the Secretary for that position and has access to adequate expertise and support to carry out the duties of the position.

Sec. 4. Improving Federal Stewardship of Historic Properties. (a) Each agency shall ensure that the management of historic properties in its ownership is conducted in a manner that promotes the long-term preservation and use of those properties as Federal assets and, where consistent with agency missions, governing law, and the nature of the properties, contributes to the local community and its economy.

(b) Where consistent with agency missions and the Secretary of the Interior's Standards for Archeology and Historic Preservation, and where appropriate, agencies shall cooperate with communities to increase opportunities for public benefit from, and access to, Federally owned historic properties.

(c) The Council is directed to use its existing authority to encourage and accept donations of money, equipment, and other resources from public and private parties to assist other agencies in the preservation of historic properties in Federal ownership to fulfill the goals of the NHPA and this order.

(d) The National Park Service, working with the Council and in consultation with other agencies, shall make available existing materials and information for education, training, and awareness of historic property stewardship to ensure that all Federal personnel have access to information and can develop the skills necessary to continue the productive use of Federally owned historic properties while meeting their stewardship responsibilities.

(e) The Council, in consultation with the National Park Service and other agencies, shall encourage and recognize exceptional achievement by such agencies in meeting the goals of the NHPA and this order. By March 31, 2004, the Council shall submit to the President and the heads of agencies recommendations to further stimulate initiative, creativity, and efficiency in the Federal stewardship of historic properties.

Sec. 5. Promoting Preservation Through Heritage Tourism.

(a) To the extent permitted by law and within existing resources, the Secretary of Commerce, working with the Council and other agencies, shall assist States, Indian tribes, and local communities in promoting the use of historic properties for heritage tourism and related economic development in a manner that contributes to the long-term preservation and productive use of those properties. Such assistance shall include efforts to strengthen and improve heritage tourism activities throughout the country as they relate to Federally owned historic properties and significant natural assets on Federal lands.

(b) Where consistent with agency missions and governing law, and where appropriate, agencies shall use historic properties in their ownership in conjunction with State, tribal, and local tourism programs to foster viable economic partnerships, including, but not limited to, cooperation and coordination with tourism officials and others with interests in the properties.

Sec. 6. National and Homeland Security Considerations.

Nothing in this order shall be construed to require any agency to take any action or disclose any information that would conflict with or compromise national and homeland security goals, policies, programs, or activities.

Sec. 7. Definitions. For the purposes of this order, the term "historic property" means any prehistoric or historic district, site, building, structure, and object included on or eligible for inclusion on the National Register of Historic Places in accordance with section 301(5) of the NHPA (16 U.S.C. 470w(5)). The term "heritage tourism" means the business and practice of attracting and accommodating visitors to a place or area based especially on the unique or special aspects of that locale's history, landscape (including trail systems), and culture. The terms "Federally owned" and "in Federal ownership," and similar terms, as used in this order, do not include properties acquired by agencies as a result of fore-closure or similar actions and that are held for a period of less than 5 years.

Sec. 8. Judicial Review. This order is intended only to improve the internal management of the Federal Government and it is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or equity by a party against the United States, its departments, agencies, instrumentalities or entities, its officers or employees, or any other person.

GEORGE W. BUSH

THE WHITE HOUSE,
March 3, 2003.

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ADAMS ENVIRONMENTAL, INC.

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November 7, 2003

Ms. Victoria Rutson
Chief, Section of Environmental Analysis
Surface Transportation Board
Washington, DC 20423

SUBJECT: Docket # 34284: Response to Preliminary Section 106 Cultural Resources Report of the Surface Transportation Board

Dear Ms. Rutson:

As we have discussed during a previous telephone call, I am working closely with the Medina County Environmental Action Association (MCEAA) to assist the members in understanding and addressing technical issues involving the environmental impacts of the construction of a railroad by Vulcan Materials under the name of the Southwest Gulf Railroad Company. I sincerely appreciate you sending me the preliminary cultural resources assessment and vibration study for this project. After review of these documents, I would like to present for your consideration the following comments:

SPECIFIC COMMENTS:

1. **Figure 1:** This figure could be greatly improved if each alternative was shown in a different color. It is very difficult to differentiate between Alternative 1 and Alternative 2 once they have combined with the proposed route. It is evident from this figure that the exact location of these routes has not been refined to a scale that would allow for an accurate determination of impacts to historic structures and archeological features. Thus, the distances of these alternatives from various historical structures were apparently estimated rather than determined using definitive data and field observations. MCEAA would not only appreciate a more definitive layout and detailed location of each alternative, but would also like to have this in electronic format to allow for our own determination of impacts, allowing us to provide a second opinion on proximity to historic and natural features that may have been missed during the analyses. A thorough analysis of the impacts should use higher resolution maps and aerials.
2. **Page 7:** In determining direct impacts to historic and archeological features, it would seem appropriate that location for cut, fill, and bridges or trestles should be marked on each route. The entire study shows that these routes have not been surveyed or studied in the field, which makes all data concerning proximity to structures questionable. MCEAA realizes that surveying centerlines would be an expensive task, but proper and accurate cultural resource impact studies require accurate location of centerlines in the field.
3. **Page 8:** Under the No-Build Alternative, it is assumed that gravel would be moved by truck rather than by rail. However, it is my understanding that Vulcan

Materials has stated on several occasions that the quarry will not be built if a rail is not provided. Therefore, the No-Build Alternative should actually include two potential alternatives: one involving

- a. No quarry
- b. Movement or transport of materials by truck.

Throughout the assessment, these no-build alternatives are not addressed in sufficient detail to accurately estimate impacts to historic structures. Obviously, not constructing the quarry would have the least impact to the area and should be considered for this cultural resource study. Again, leaving this alternative out of the analyses biases the report towards the Preferred Action.

4. **Page 10, Paragraph 2:** This paragraph indicates that a dependable year-round water supply is not present in the area of the railroad. This statement is not true. The City of Quihi was established because of a perennial supply of water from Quihi Lake as well as shallow groundwater wells (10 to 20 feet deep). In fact, even today several perennial sources of water in the form of seeps and springs are found throughout the Quihi watershed. These sources of water attracted native American Indians as well as settlers to northern Medina County.
5. **Page 18, Figure 2:** The scale of this figure makes it virtually impossible to compare impacts by each alternative. I recommend that this figure be divided into several figures, each showing the location of historic features on a larger scale, such as 1 in = 250 ft. In addition, the same information could easily be transposed onto current and historical aerial photographs, providing even more definitive information as to the location of the alternatives with respect to historic and current structures, etc. The title box on the lower right-hand corner of the figure should be removed because it covers the Proposed Route and Alternative Route 3.
6. **Page 20:** The discussion on the Proposed Action does not provide information as to the number of creek crossings. According to the USGS topographic map, the Proposed Route will cross intermittent and ephemeral streams at least six times. It is well known that archeological resources are commonly found adjacent to creeks and these crossing areas should at the very least be considered for potential areas for impacts. All of these crossings will require coordination with the U.S. Army Corps of Engineers probably under Nationwide Permit 14, and extensive archeological studies will be required for that process.
7. **Page 27:** The description for the No-Build Alternative is written in a manner to lead the reader to believe that that is not a viable alternative. However, in a document such as this, it should be listed as a viable alternative. As previously mentioned, it should include not constructing the quarry and leaving all historic structures in their current condition. Thus, the Trucking Alternative should specifically cite which historic properties and cemeteries will be impacted by truck traffic and whether those impacts will be significant. In addition, the nature of those impacts should be identified. The No-Build Alternative should also include an in-depth discussion of potential changes or impacts to structures and archeological features if the quarry was not constructed and truck traffic was not present. This discussion could include impacts caused by potential development in the area, if any development plans are known at this time.
8. **Page 30:** I agree that the proposed route would affect the least number of known 19th century cultural resources. However, the report does not point out that it is

the second-worst route in terms of affecting 19th and 20th century cultural resources. The true differences between the Proposed Action and Alternatives 2 and 3 are relatively minor. The paragraph on this page is written in a manner to bias the reader toward the proposed route. It is not the intent of a cultural resource assessment to show bias towards any alternative in the study.

9. **Page 30, Table 6:** This table is somewhat confusing due to the fact that it does not break out 19th and 20th century structures. I suggest adding a new column, which would provide that information.

GENERAL COMMENTS:

1. I understand that this report is a preliminary cultural resource study and does not involve onsite surveys. However, because of the extensive occurrence of historic structures and archeological features in the area, I feel that a full onsite Phase I/II survey for all alternatives should be made for proper comparison of the alternatives for the environmental assessment. Without question, construction of a railroad in this portion of the country is going to impact many landowners and private citizens. Comparison of the alternatives will result in a final decision for the location of the rail. It seems only fair that each alternative be treated equally in the archeological and historic studies being conducted. Delaying intensive studies until the decision is made for the best alternative without using good, accurate data would be a grave error and would not be fair to the citizens of Medina County impacted by the rail.
2. This particular cultural resource assessment did not address archeological or paleontological studies. This should be completed for each alternative for proper comparison of alternatives in the environmental assessment. Shovel tests and even trench tests should be performed prior to a final determination for the EA and cultural resource assessment. These studies should be site-specific and intensive to ensure that archeological and paleontological sites are not missed. To conduct these studies, the centerlines for all alternatives should be surveyed and marked to a resolution of plus-or-minus 10-20 feet. This can be easily done using GPS equipment. This will also allow citizens in the area to observe where each alternative would be located with respect to their properties. Changes in routes can be made after it is determined that avoidance is a viable form of mitigation for that alternative. It also allows the impacted property owner to be a part of determining mitigation measures.
3. It is somewhat unsettling that the tone of the report is skewed toward the Proposed Action. The report should not show a bias towards the proposed action, especially since several alternatives are available. At the present time, the public is not aware how these alternatives were derived. Other alternatives could be used in the analyses, for example, the abandoned rail bed used for construction of Medina Dam.
4. Throughout the report, 20th century structures were ignored or considered unimportant without sufficient explanation. Ignoring those structures makes the proposed action the action having the least impacts. However, if 20th century structures are included, the proposed action would not be considered the best action for the project. Again, whether it is intentional or not, this appears to be a

- manipulation of numbers to bias the report towards the proposed or preferred action.
5. References to Vulcan Materials should be removed from this report. At the very least, reference should also be made to actions of Vulcan that might not be beneficial to landowners in the area. Vulcan's involvement in preserving some of the historical structures was not done to preserve houses and show kindness to the community. This action was actually done to mitigate for losses caused by construction of the railroad and to increase political support for the railroad construction. Was it not for the rail project, Vulcan would have no concern for these structures. Information involving protection of historic structures should be included in the report without reference to Vulcan. This seems only fair since no reference is made to any of the actions of citizens and local historic societies to preserve structures.
 6. Quihi Creek is a nearly perennial stream and would be considered to have high potential for archeological and paleontological features.
 7. Most of the historic structures located in this area were built at or near the 100-year floodplain of various streams. The current design of the railroad includes crossings of streams using trestles and berms. This type of construction can cause obstruction to flood flows and a significant increase the extent of the 100-year floodplain. The final design of stream crossings should be determined and HEC studies conducted to determine if these structures will impede flood flows and cause an increase in the size and extent of the 100-year floodplain. An increase in the size of the 100-year floodplain would cause direct impacts to many historic structures much further than 1000 feet from the railroad. These structures should be considered in this analysis. In addition, other homes and properties could be damaged by flood action. The ultimate mitigation for the increase in floodplain size would be to either avoid stream crossings or to use bridges rather than trestles and berms at stream crossings.
 8. This cultural resource assessment has not considered indirect impacts as a result of the railroad construction. According to Vulcan, construction of this railroad will cause a significant increase in commercial and industrial development along the railroad. In fact, the common carrier status that has been approved for this rail is based on the fact that industrial development will occur in the area, and the railroad will be used by other private interests. Such activities will result in significant negative impacts to historic and archeological structures along the route and will impact structures further than 1000 feet from the right-of-way. The entire historic vernacular of the area will be changed by this type of development and should be addressed in the report.
 9. The cultural resource assessment fails to address the fact that this project will significantly impact the visual aesthetics of the area. Private citizens living in the area take a great deal of pride in preserving the historic rural landscape of the area. Construction of the railroad will significantly change the vernacular of the area, changing it from a rural historic landscape to an urban commercial development.
 10. The vibration study conducted for this cultural resource report is an excellent review of work conducted in other locations. However, it is well known that environmental conditions, especially soil characteristics, soil moisture, and subsoil structure, have far-reaching impacts on the magnitude and conductance

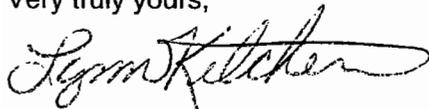
of vibration caused by large sources such as trains. The report makes the assumption that the environmental and soil conditions in Medina County are similar to those at other locations. Site-specific field tests to confirm the hypothesis offered in the vibration study should be performed to ensure that historic structures will not be impacted by the railroad. It is especially important to conduct these tests for historic structures located within 1000 feet of the preferred action and all alternatives.

11. Other archeologists in the area should be contacted to obtain their views concerning the impacts of this project and the value of historic and archeological features in the area. These archeologists should at least include Dr. Steve Tomka at the University of Texas at San Antonio and Dr. Thomas R. Hester, Professor of Anthropology at the University of Texas at Austin.
12. The report omitted any reference to the Gerde Ranch which is registered with the Department of Agriculture in the Texas Family Land Heritage Program. This program was established to protect the cultural heritage of historic ranches and farms in Texas. The proposed rail route will cross this ranch and significantly impact the overall rural landscape and historic vernacular of the ranch and its surrounding environment.
13. Several Indian sites have been discovered by citizens in the project area. MCEAA has provided you with a map showing the location of known Indian sites.

In conclusion, it is my opinion that the cultural resource study is an appropriate starting point for proper analysis of the impacts of the proposed rail on historic, archeological, and paleontological features in the area. However, this area is rich in these features, which warrants much more intensive studies. More in-depth, site-specific studies should be conducted to properly weigh and compare impacts caused by the preferred action and all alternatives being considered.

Please feel free to contact me if you have any questions or comments concerning this letter. I appreciate your time and consideration.

Very truly yours,



Lynn M. Kitchen, Ph.D.
Principal Scientist

Copy: Dr. Robert Fitzgerald, President, MCEAA

DAVID H. COBURN
(202) 429-8063
dcoburn@step toe.com

#E1-316
RQ

November 10, 2003

VIA HAND DELIVERY

Ms. Victoria Rutson
Chief
Section of Environmental Analysis
Surface Transportation Board
1925 K Street, N.W.
Washington, DC 20402-0001

**Re: Finance Docket No. 34284 -- Southwest Gulf Railroad Company --
Petition for Exemption from 49 U.S.C. § 10901 to Construct and
Operate a Rail Line In Medina County, Texas**

Dear Ms. Rutson:

Southwest Gulf Railroad ("SGR") hereby offers its comments on the Preliminary Cultural Resources Assessment ("Cultural Assessment") prepared by your office and circulated for comment to SGR and other interested parties, including the Texas Historical Commission, the Comanche Nation, the Cherokee Nation and the Kickapoo Tribe on October 10, 2003. Recognizing that this is a preliminary Assessment, SGR believes that the Cultural Assessment, which was based on the review of historical records and two separate field surveys, is an excellent starting point for the Section 106 process. SGR stands ready to supply to SEA and the Texas Historical Commission whatever information and cooperation may be needed to complete that process.

The rail line at issue would extend seven miles over a single track between a quarry that would be developed by Vulcan Construction Materials, LP, an affiliate of SGR's corporate parent, and a UP rail line near Dunlay in Medina County, TX. SGR has identified a preferred route for this line based on its assessment of several key factors, including the number of streams that would be crossed, the number of landowners impacted and operational efficiency. In each of these respects, the preferred route has advantages over the alternative routes that were considered at an early stage in SGR's planning, but rejected by SGR. SGR understands that SEA is preparing a Draft Environmental Assessment ("EA") with respect to the SGR proposal.

SGR notes that the Cultural Assessment identified and described 16 potentially significant 19th century homes, ruins and cemeteries in the vicinity of SGR's preferred route and the three alternative routes, as well as three additional 20th century residences that are more than 50 years old. The eligibility status of these resources relative to the National Register of Historic

Places also was identified, and photos of all or most of the structures were supplied. Based on the information developed, the Cultural Assessment correctly finds that the preferred route would potentially impact the fewest of these resources relative to the alternative routes. Further, the Cultural Assessment also properly concludes that no such impacts would be direct, i.e., the construction of the rail line would not require the removal of any of the identified resources or otherwise physically impact those resources. Rather, the potential impacts, if any, would be indirect in the form of aesthetics, view, vibration and noise. The resources that might sustain any such indirect impacts are identified for SGR's preferred routing and for each of the alternatives, and again the Cultural Assessment properly shows that SGR's preferred route would impact the fewest identified cultural resources.

With respect to impacts, we note that subsequent to the release of the Cultural Assessment, SEA circulated on October 23, 2004 the results of a vibration study that it performed to determine the impact of vibration resulting from rail construction and operation on cultural resources in the vicinity of the proposed rail line. The study determined that vibration impacts would extend no further than 45 feet from the tracks, and that no identified cultural resources were located within that impact area with respect to either SGR's preferred route or any of the alternatives. The historical structure closest to SGR's preferred route is the Henry Schweers House, which is 250 feet from the line and thus outside the vibration impact area.

The Cultural Assessment identified aesthetics and dust as other potential indirect impacts on cultural resources. With respect to aesthetics, SGR's line will not be significantly elevated above ground level at any point. Further, SGR anticipates that existing grasses, scrub and small trees in the area would be retained to parallel the line, offering a visual barrier. It also bears note that the line will be used infrequently throughout the course of any given day, with only up to four trains (two in each direction) anticipated for the foreseeable future. Further, SGR does not anticipate that dust will be a significant issue. SGR is prepared to employ dust suppression measures during construction of the line. Based on Vulcan's experience in the rail shipment of aggregate, the product of the Vulcan quarry, SGR does not expect that dust will be a problem during rail operation.

As to noise impacts, SGR understands that SEA is conducting or has conducted a noise analysis relative to the line. Given the low density of train activity on the line, and SGR's planned use of welded rail, SGR does not anticipate that noise will be found to be a significant issue with respect to cultural resources impacts.

The Cultural Assessment correctly describes Vulcan's preservation efforts in the area relative to the Williams Schweers House and the Henry Schweers House, as well as related outbuildings and a cemetery. Vulcan has donated the William Schweers home identified in the Assessment to the Schweers Historical Foundation and intends to donate the Henry Schweers home to that Foundation, but has not done so to date. The Foundation will be developing an architectural and management plan for these properties and Vulcan is also offering other support to that Foundation.

Ms. Victoria Rutson
November 10, 2003
Page 3

SGR is prepared to work with SEA and the Texas Historical Commission to provide whatever information it can that may be useful to the Section 106 process. In that regard, SGR trusts that the process will move forward as expeditiously and efficiently as possible.

Sincerely,



David H. Coburn
Attorney for Southwest Gulf Railroad
Company

cc: Ms. Rini Ghosh
Ms. Pam Opiela
Ms. Jaya Zyman-Ponebshek
Dr. Darrell Brownlow

.....

Post Office Box 93
Hondo, Texas 78861
(830) 741-4041

Quihi & New Fountain Historical Society

#E1-317
RQ

November 8, 2003

Victoria Ruston, Chief
Office of Economics, Environmental Analysis and Administration
Surface Transportation Board
1925 K Street NW, Room 500
Washington, DC 20423

Subject: STB Finance Docket 34284, Southwest Gulf Railroad Company

Dear Ms. Ruston,

We have received the Preliminary Cultural Resources Assessment and have looked it over thoroughly. It is our opinion that the report does a very poor job of identifying the historical sites in the Quihi area and it fails to mention all of the impacts this railroad will have on the community.

The Quihi and New Fountain Historical Society was founded within the last six months and we have already identified well over sixty historical sites within the effected area. We have been working with the Texas Historical Commission through their Endangered Historical Property Identification (HELP) Program and have submitted to date over thirty properties in Quihi and New Fountain. In addition, as of today, we have documented more than sixty historic home sites and will be adding those to the database. The report only identifies sixteen properties as being within the area of the proposed route or the three alternatives.

It is most unfortunate that the investigators never took the time to contact the families that live in this area. The investigators just assumed that they knew where those sixteen properties were located, and in several cases listed one property and conveniently overlooked, or chose not to identify, the one next-door. For example, one of the sixteen properties, The Schuele-Saathoff House (NRHP) is show on their maps as being a mile away from its actual location. In addition, they listed the Henry Schweers and William Schweers homes but did not list the Hiyo Schweers site, that is right next-door, and even closer to one of the alternatives.

It is our opinion that this report is very incomplete, and most important, it does not address the real impact of a railroad routed through the Quihi area. The

There is no future without a past.

November 8, 2003

Page 2

report lists several water features on page 4, the Cherry Creek, Quihi Creek, Polecat Creek, Elm Creek, and other unnamed tributaries of Cherry Creek, and never addresses the possibility of flooding. These waterways are called creeks for a reason, all flow during time of wet weather and many cause flooding in the Quihi area when they do flow. The residents of the Quihi area are well aware of the flooding problems and have learned to live with not being able to leave their homes and properties when the creeks flood. Any changes in the topography of the area will have a direct effect on the flooding. Routing a railroad, on the ground, and through these creeks will change the flow of water and will probably have a direct effect on many of the historical properties in the area.

In conclusion, it is our conviction that this railroad should not be built in the Quihi area. Not all the studies in the world can ever justify the destruction of this piece of American history. This area was settled over 150 years ago and is an important part of Texas history. Just the thought of allowing a private business the right to rape and degrade this area, only for their own profit, is unthinkable. Moreover, anyone who would even consider allowing this to happen should be ashamed of himself or herself.

Thank you for allowing us the opportunity to provide input on this assessment, in addition, we are willing to do our best to assist you in any way we can. If you have any questions or need any additional information please let us know.

Sincerely,



Necey Schulte, President

cc. Pam Opiela, Texas Historical Commission, Architecture
Bill Martin, Texas Historical Commission, Archaeology



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Ry

MEDINA COUNTY HISTORICAL COMMISSION
MEDINA COUNTY COURTHOUSE
HONDO, TEXAS 78861

November 7, 2003

Ms. Victoria Rutson
Office of Economics, Environmental Analysis and
Administration Surface Transportation Board
Washington D.C. 20423

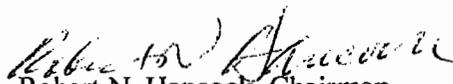
Re: Preliminary Cultural Resources Assessment Report

Dear Ms. Rutson,

Thank you for your correspondence describing the above referenced report. This letter serves as comment on the proposed undertaking from the Medina County Historical Commission.

The Medina County Historical Commission has a continuing commitment to the preservation, study, and recognition of the county's cultural heritage. The Commission is aware of the plans of Vulcan Materials to construct a railroad through the Quihi area related to its proposed quarrying activities in that part of Medina County. Quihi is a highly important historic area of Medina County, representing a settlement established in 1846, and is marked by the presence of numerous homes and buildings of that period. There are also important prehistoric archaeological sites, as old as 10,000 years, in the area. The Commission urges the Surface Transportation Board to use all proper review procedures during its consideration of the Vulcan applications for its railways and proposed alternative routes. This will involve detailed consultation with the Texas Historical Commission, charged with the implementation of Section 106 regulations related to cultural resources. The Commission will monitor the process and will receive the comments of concerned citizens of the Quihi area during all phases of cultural resource studies to this project.

Regards,


Robert N. Hancock, Chairman
Medina County Historical Commission

#E1-320
R91



November 9, 2003

Surface Transportation Board
Section of Environmental Analysis
1925 K Street, N. W.
Washington, DC 20423

Re: STB Finance Docket 34284, Southwest Gulf Railroad Company—
Construction and Operation Exemption—Medina County, TX

Dear Ms. Rutson,

I am President of the Schweers Historical Foundation, a 501(c)(3) corporation, with a membership of approximately 120 members. Most of our members are descendants of the pioneer German and Alsatian families of Henry Castro's Colony, who settled the Quihi area of Medina County in the mid-1800s. When Vulcan Materials Company purchased the William and Henry Schweers houses, representatives of the family approached Vulcan with the request to purchase one or both of the houses. Vulcan generously agreed to donate both houses to a family historical foundation. The William Schweers house has already been deeded to our corporation. We have the promise of the Henry Schweers house and financial assistance to further our efforts to preserve the houses and their outbuildings.

Our secondary mission is to acquire and restore additional pioneer structures in and around Quihi. As Quihi's only foundation devoted solely to this effort, we are an important party to the cultural resources of the area. Because of our vision and goals, we enjoy the full support and backing of the much older and well established Castro Colonies Historical Association in Castroville, Texas.

Being thus established in the Quihi area, a former history teacher and member of the South Texas Archeological Association, it was with great interest that I read the Preliminary Cultural Resources Assessment. Your section has done an exemplary job of describing the area's cultural features, its historical events and prehistoric artifacts.

The SHF is very pleased with your choice of the proposed route, as it poses no barrier to our plans for an historical park showcasing a German Settlement of the mid-

19th century. Considering the route's distance from the houses and the results of the vibration study, we are satisfied the railroad will not be detrimental to our properties, or indeed, to others in its immediate area. The SHF has not discussed the idea with Vulcan, however, one day, the railroad might provide a route for excursion trains from San Antonio bringing visitors to the reconstructed homes and their historical park.

Interestingly enough, about a hundred years ago, another railroad line ran nearly the same route, but ended at the Medina Dam location. It carried supplies and workmen to build the dam. William Schweers, owner of the house by that name, and other ancestors of the families in the area, were those workmen. The earlier railroad brought much need jobs and prosperity to the region. Without a doubt, the Southwest Gulf Railroad and the quarry will provide an even larger economic boost to a greater portion of the county than did the earlier railroad.

During the course of our association with Vulcan, we have learned about the mining process and what the quarry's impact on the water, air, wildlife and the human community might be. In all cases, the negative impact is minimal while the environmental, social and economic advantages are numerous.

Vulcan's executive staff has kept us well informed on the entire process from the choosing of the railroad route to its environmental and vibration studies. We know that with the final choice of the route, engineers will survey, exactly, where the track will run. Subsequent to this survey, a 100% Field Survey team will study the entire route for any subsurface or unknown historical or archeological artifacts or features before the railroad will be built. Quite clearly, Vulcan is concerned about working with all entities to see that this project is done properly.

We are aware that Vulcan has demonstrated the merits of its project to the U.S. Fish and Wildlife Service, the Army Corps of Engineers, the Edwards Aquifer Authority, the Medina County Government, other state and Federal agencies and many individuals in Medina County. Medina County is fortunate to have an environmentally responsible and socially concerned company wanting to bring economic development to the county.

In the event SEA might want to correct a couple of inaccuracies for its final report, I offer the following: The William Schweers home (2.5.1, page 24) was built in 1874, not 1884 as reported in the news article. The Schweers/Balzen Cemetery

(2.5.2,page 25) was deeded to the descendants of William M. Schweers (1843-1913) in 1950. The deed (No. 6217, Vol.147) is recorded in the Medina County Court House.

The SHF is happy to extend an invitation to the STB, its environmental contractor, URS, and any other entity the opportunity to tour the area. The members of our organization are also available for consultation. You may contact me by phone: (830) 336-3767; or by email: carpen@gvtc.com

Sincerely,



Carol Carpenter, President
Schweers Historical Foundation

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RY

1227 Vista Bonita
New Braunfels, Texas 78130

.....
Schweers Historical Foundation, Inc.

November 13, 2003

Rini Ghosh
Surface Transportation Board
Section of Environmental Analysis
1925 K Street, Suite 500
Washington, DC 20423-0001



Re: STB Finance Docket 34284, Southwest Gulf Railroad Company-
Construction and Operation Exemption- Medina County, Tx

Dear Rini Ghosh:

This letter is in response to a letter dated October 10, 2003 from Victoria Rutson, Chief of Section of Environmental Analysis, inviting me to participate as a consulting party to the section 106 process of NHPA. I have read the Preliminary Cultural Resources Assessment report enclosed with this letter.

I also acknowledge receipt of a letter dated October 23, 2003 from Ms. Rutson with a copy of an SEA study of potential vibration impacts to cultural resources in the area of the proposed project, which I have read.

I am a 5th generation descendant of Texas German immigrants, and was born in the Texas Hill Country. I have a full appreciation of it's natural beauty, and therefore have a strong inclination to support preservation of Texas rural areas in their pristine condition when practical.

I am also a strong supporter of the American free-enterprise system, and believe that the most citizens are best served by allowing our businesses to flourish. I believe we must not hamstring our country with unnecessary and expensive stumbling blocks for our people and our businesses.

I am a graduated civil engineer with fifty years experience in general construction, both as an employee and owner. We completed many Corp of Engineer projects, schools, historical restorations, and even some railroad work. The many advantages of a free, unencumbered business environment to the American public was deeply understood and appreciated by me.

Heinrich and Johanna Schweers are my great great grandparents. They were married in 1858, and had the "Henry Schweers House" constructed that same year (the dates shown in Table 3, page 24 of the Preliminary Cultural Resources Assessment is not correct). My grandfather Henry Schweers was born and reared in this home along with thirteen (13) siblings.

Some of my 1st cousins and I first learned of the existence of these historic homes after a family reunion on June 4, 1995... We decided that we should attempt to acquire and restore the Henry Home then owned by William Schweers. He died unexpectedly in 1998. Shortly afterward, Vulcan Material Company purchased the property, which included the Henry Schweers and the William Schweers Historic Homes, for a proposed railroad right-of-way to a proposed rock quarry.

.....

In early 2001, we met with Representatives of Vulcan Material Company about the possibility of purchasing the Henry Schweers Home. To our delight, they were very supportive of our interest. Subsequently, they have helped us create our non-profit Schweers Historical Foundation, Inc., and are donating both the Henry and the William homes, including some acreage. They did all this and more, yet not knowing that the railroad track would be approved for construction. Obviously, we hold this fine company in highest esteem. They are a strong community-oriented firm.

I provide the above information so you can better know my background, and the opinions I express herein. Hopefully they are constructive and unbiased.

After perusal of your supporting documents, I have the following comments regarding the routes:

1. **Alternative 1** skirts along the Quihi Creek quite a distance, which is not good for wildlife habitat. It then crosses the creek near large ponds and marshes teeming with wildlife, and then passes within 125 feet of the historic William Schweers Home and between the historic Heyo Schweers Home (noted as ruins on Figure 2, page 18). It is also two (2) miles longer than the Proposed Route. This is not a good route!
2. Alternate 2 likewise cross the Quihi Creek at the small, spring-fed ponds and marches, then passes between the Schweers family cemetery, and the Henry Schweers Home (within 250 feet). It also crosses an area near the Saathoff Historic Home and their family cemetery located south of the Quihi Creek on the Pichot property. This area has lots of historic and archaeological locations. I consider this not a good Alternate route. This route is noted as 1000 feet longer than the Proposed Route.
3. Alternate 3 passes within 250 feet of the Oeffinger Cottage, and between the Two (2) Saathoff Cottages, and the Cottage Ruins noted on Figure 3, page 29. It is 2500 lineal feet longer than the Proposed Route. This is a better route than Alternates 1 and 2 in my opinion, but no doubt more costly.
4. The No-Build Alternative would be a horrible selection from the viewpoint of public safety, road traffic, noise, public nuisance, unsightliness, dust, environment, and economy.
5. The Proposed Route is by far the superior, in my opinion. It crosses the Quihi Creek at a location that often is dry, and has no marches, or significant ponds. It appears to take advantage of the pipe line right-of-way. It is 250 lineal feet from the Henry Schweers Historic Home, but otherwise avoids close proximity of other historic structures and environmentally sensitive areas. I also think it will prove to be the most economically feasible point to cross the Quihi Creek. It will be screened somewhat by existing trees.

On paragraph 3.1, page 28 is stated, "SEA's cultural resources assessment preliminarily concludes that the proposed construction and operation of SGR's rail line *would not directly impact or affect* any know significant cultural resources.

On page 30 is stated, "Potential impacts from rail operations to any of the cultural resources would be *indirect impacts* in the form of aesthetics, view, vibration, and dust." I offer the following:

1. **Aesthetics:** I do not personally find a train working its way across the countryside a problem regarding aesthetics. In fact, I think they are rather interesting. This is happening every day across America, and portrays our power, economic strength, and vitality. Besides, it is absolutely necessary to our well being.
2. **View:** This apparently has to do with the appearance of the railroad tracks and bridges. This is the same situation as with all the highways and roadways we drive on everyday. People build these things totally out of proportion to reality because it's something new. Once the novelty wears off, they will hardly notice the bridge and tracks. A roll of trees between the

November 13, 2003

Page 3

Henry Schweers Home and the tracks for several hundred yards would help the aesthetics near the historic homes. This is in a remote area on a country gravel road with little traffic!

3. **Vibration:** With reference to the letter dated October 23, 2003, a copy of a study by SEA was enclosed regarding potential vibration impacts to cultural resources in the area of the proposed project. This was provided to assist in my review of the report requested in the October 10, 2003 letter which included the Preliminary Cultural Resources Assessment report for the proposed rail and construction operation.

Para. 1.2.1.1 Construction: The last sentence concludes, "Based on the distance from the source of the proposed construction to known cultural resources, there would be *no significant impact* to known cultural resources as a result of ground-borne vibration.

Para. 1.2.1.2 Operation: The last sentence concludes, "The closest historic structure to the proposed route would be at least 250 feet from the tracks. No cultural resource would be located within the 45-foot impact distance from the tracts. Thus, there would be *no ground-borne vibration impacts to known cultural resources* as a result of proposed railroad operations.

Your thorough, professional study regarding vibrations from construction and operations of the trains, etc. clearly show that vibrations should not adversely effect the various structures along the Proposed Route.

4. **Dust:** It is my judgment that four train trips per day with railroad cars rolling on steel rails transporting recently washed limestone aggregate creates a lot less dust than 900 truck trips per day driving down the highways! Natural windstorms that you can do nothing about will create much, much more dust than these four (4) trains in a 24 hr. day. We need to use some common sense here!

This concludes my written comments you requested. I appreciate the time and professional approach the STB, the SEA, the URS Corporation of Austin and the Vulcan Material Company and the SGR have taken to protect the interests of the Quihi community, the preservation of our history, etc., and at the same time make some progress in providing important materials for our industries.

Thank you!



Donald S. Schoch



TEXAS
HISTORICAL
COMMISSION

The State Agency for Historic Preservation

#E1-328

RJ

RICK PERRY, GOVERNOR

JOHN L. NAU, III, CHAIRMAN

F. LAWRENCE OAKS, EXECUTIVE DIRECTOR

November 13, 2003

Ms. Victoria Rutson
Office of Economics, Environmental Analysis and Administration
Surface Transportation Board
Washington, D.C. 20423

Re: *Project review under Section 106 of the National Historic Preservation Act of 1966
Vibration Study for Proposed Railway, Medina County. (STB)*

Dear Ms. Rutson:

Thank you for your correspondence describing the above referenced project. This letter serves as comment on the proposed undertaking from the State Historic Preservation Officer, the Executive Director of the Texas Historical Commission.

The review staff, led by Pam Opiela, has completed its review of the project documentation provided. We received a copy of a vibration study from the Surface Transportation Board's Section of Environmental Analysis on the impacts of vibration on cultural resources in the area of potential effect. We are concerned that this information is being provided before a thorough survey of resources in the area has been completed. On October 29th, we sent a letter to you asking for identification of cultural resources in the area of potential effect. A vibration study per the proposed railroad project should take into consideration all identified historic properties.

Also, note that our office is allowed 30 days to respond to your request for comment from the time of receipt of the request. Please do not request a response before the 30-day comment period is complete unless there is an emergency situation as defined in the Section 106 regulations of the National Historic Preservation Act of 1966, as amended, 36 CFR, Section 800.12. If there are other reasons for requesting a response prior to the 30-day deadline, please notify our office and we will work to accommodate your request.

We look forward to further consultation with your office and hope to maintain a partnership that will foster effective historic preservation. Thank you for your cooperation in this federal review process, and for your efforts to preserve the irreplaceable heritage of Texas. **If you have any questions concerning our review or if we can be of further assistance, please contact Bill Martin in our Archaeology Division at 512/463-5867 or Pam Opiela in the Division of Architecture at 512/463-6218.**

Yours truly,

for: F. Lawrence Oaks, State Historic Preservation Officer

cc. Robert N. Hancock, Medina County Historical Commission
Cynthia Lindsey, Quihi and New Fountain Historical Society
Dr. Robert Fitzgerald, Medina Environmental Action Association

FLO/PO

STEPTOE & JOHNSON LLP

ATTORNEYS AT LAW

#E1-423
R91

DAVID H. COBURN
(202) 429-8063
dcoburn@steptoe.com

January 5, 2004

VIA HAND DELIVERY

Ms. Victoria Rutson
Chief
Section of Environmental Analysis
Surface Transportation Board
1925 K Street, N.W.
Washington, DC 20402-0001

**Re: Finance Docket No. 34284 -- Southwest Gulf Railroad Company --
Petition for Exemption from 49 U.S.C. § 10901 to Construct and
Operate a Rail Line In Medina County, Texas**

Dear Ms. Rutson:

This letter will address, on behalf of Southwest Gulf Railroad ("SGR"), certain factual inaccuracies in various letters submitted to the Surface Transportation Board's Section of Environmental Analysis (SEA) in response to SEA's October 2003 Preliminary Cultural Resources Assessment ("Preliminary Assessment"). These letters were submitted by certain parties that are known to be opposed to construction of the SGR line in Medina County, TX and persons that appear to be working in league with, or retained by, those parties.¹ SGR's goal in

¹ SGR is affiliated through common ownership with Vulcan Materials Company, a Birmingham, AL-based corporation and one of the nation's largest producers of aggregates, composed primarily of crushed stone, sand and gravel used for highway and other construction purposes. One of Vulcan Material Company's wholly-owned subsidiary companies, Vulcan Construction Materials, LP, is working toward the development of a quarry in Medina County, at which stone would be mined.

The general process associated with the production of the aggregate consists of the following steps: (1) blasting the stone; (2) hauling the broken stone by large truck or loader to a primary crusher; (3) reducing the large rock into smaller rocks by crushing; (4) screening and segregating the crushed rock into various product specific sizes; and (5) loading the aggregate into either trucks or rail cars for delivery to the end user. The SGR line would be used to transport aggregate between the quarry and a point near Dunlay, Texas, where the SGR line would connect with a Union Pacific Railroad line, and the national rail system.

this letter is ensure that SEA has accurate information in connection with its consideration of this matter. SGR understands that SEA is preparing a draft environmental document pursuant to the requirements of the National Environmental Policy Act ("NEPA") and that opportunity will be provided for SGR and members of the public to comment on that document.

Generally, SGR notes that most of the commenters who were critical of the Preliminary Assessment apparently did not appreciate that the Preliminary Assessment was not intended to provide a complete or final review of all of the cultural and historic resources in the area. SGR notes that the Assessment explicitly acknowledges that it was not intended or designed to identify all of the resources in the area, but rather to be a "starting point" for the cultural review process to be undertaken in connection with this project pursuant to Section 106 of the National Historic Preservation Act. Thus, general criticisms along the lines that the Assessment was not complete in certain respects are not well-founded.

Several commenters offered suggestions with respect to further studies, improved maps, etc. SGR is prepared to assist SEA and the Texas Historical Commission in moving the process forward under appropriate procedures commonly used in rail construction cases of this nature so that an assessment of impacts from the proposed line on cultural resources, if any, may be made. To that end, SGR representatives have already initiated steps to advance the Section 106 process.

We will now turn to a discussion of the specific comments received by SEA.

Response to Lynn Kitchen/Adams Environmental, Inc.

Ms. Kitchen states on pages 2-3 of her November 7 comments that, "Vulcan Materials has stated on several occasions that the quarry will not be built if a rail line is not provided." This is not correct. A rail line would make the quarry more efficient, but the quarry could be developed even if there were no rail line. SGR accordingly disagrees that a "no quarry" alternative should be considered as part of the analysis. Rather, the appropriate "no action" alternative to consider is the alternative of a truck-served quarry. SGR has previously provided information about the large number of trucks that would be required to operate its planned Medina County quarry in the event that no rail line were built and SGR understands that the environmental document that SEA is preparing will address the environmental impacts of this truck traffic.

In fact, Vulcan operates several quarries in Texas that are served exclusively by truck, including the Geronimo quarry in Medina County and the "1604" and Helotes quarries in neighboring Bexar County. In addition to these quarries, there are seven other truck-only quarries in Texas operated by Vulcan (the names and locations of these can be supplied upon request) and several more that rely on a combination of truck and rail transport.

Ms. Kitchen states that Quihi Creek is a "nearly perennial stream and would be considered to have high potential for archeological and paleontological features." At the point of the proposed crossing of this Creek by SGR's preferred alignment, Quihi Creek is not a perennial

or near perennial stream. Except for short periods of time following heavy rains, the creek is dry. Ms. Kitchen also commented on the possibility that the railroad's design for stream crossing may result in flooding. SGR has every intention of designing its stream crossings so as to not to exacerbate the occasional flooding in the area. Based on its consultations, SGR is confident that such crossings can be designed, just as hundreds of similar streams are crossed by rail lines throughout the Southwest without creating flooding issues. Further, SGR has already consulted, and will be consulting further, with the U.S. Army Corps of Engineers on these matters.

Ms. Kitchen commented that construction of the line "will cause a significant increase in commercial and industrial development along the railroad." SGR at this point is not aware of any specific shippers that may locate on the line, other than Vulcan. While the line will be operated as a common carrier line and thus open to use by other shippers, SGR has no information at this time about other shippers that may locate in the area. Accordingly, any assessment of the level of commercial and industrial development that could develop along the line is speculative.

Ms. Kitchen commented that construction of a single track railroad that will be used by only 4 trains/day "will significantly change the vernacular of the area, changing it from a rural historic landscape to an urban commercial development". SGR anticipates that the area will retain its essentially rural character (even if some other businesses locate near the line) just as many other areas of the state where there are rail lines, such as the UP line at the south end of the project area to which the SGR line will connect. Due to the low grade and potential for vegetation growth along the buffer area, the railroad will be virtually invisible. Further, as only four trains per day are planned to use the line for the reasonably foreseeable future, trains will be visible for only a few minutes each day.

Ms. Kitchen and certain other commenters note that the SGR line would traverse through a farm (the Gerdes property) that has been recognized under the Texas Family Land Heritage Program. That Program is designed to acknowledge agricultural property that has been in the hands of a single family for at least 100 years. Construction of the SGR line through the Gerdes property would not change the agricultural nature of that property or divest that family of ownership of their farm. Thus, construction of the line can be accomplished in a manner that is consistent with the referenced Program. Indeed, nothing in that Program imposes any special requirements with respect to the ability of a railroad (or highway) to traverse a property recognized under the Program. Information about that Program is available at http://www.agr.state.tx.us/producer_info/flhp/com_flhp.htm.

Response to Quihi and New Fountain Historical Society Letter

This group's November 8 letter stated the group's overall opposition to the SGR project. However, it does not provide any comments that can be specifically addressed. SGR notes that

another historical society in the area, the Schweers Historical Foundation, Inc., commented in support of the SGR project.

Response to Medina County Environmental Action Association, Inc.

MCEAA, composed of some local landowners opposed to the SGR project, comments in its November 3 letter about flooding that could be caused by the SGR line. The flooding allegation has been addressed above. Indeed, SGR has replied previously to overstated and unsupported concerns expressed by this group about flooding that might result from the rail line. SGR remains confident that its line can be designed with appropriate stream crossings in a manner that will have no impact on flooding. MCEAA has raised its flooding concerns with SEA and SGR assumes that this issue will be addressed in the draft environmental document issued by SEA.

MCEAA also commented on alleged safety and other issues relating to the crossing of local roads by the SGR line. All crossings will be protected appropriately and consistent with highway safety practices, and traffic delays will be minimal given the small number of trains (4/day) that will use the single track railroad that SGR proposes to build. These too are matters that SGR understands will be addressed in the draft environmental document.

MCEAA proposed that the rail line be relocated to a location that does not impact on antiquities and historical sites. SGR agrees that avoidance of such resources is an appropriate goal. Thus, its line will be designed to avoid any sites of archeological or historic interest. SGR will coordinate with the Texas Historical Commission pursuant to the Section 106 process to assure that such resources are identified, avoided if possible and evaluated for the proper preservation in the unlikely event that avoidance is not possible. MCEAA commented on the numerous Native American sites in the area. The line would be designed so as to avoid sites of special interest to Native Americans. SGR understands that SEA has or will contact the appropriate Tribes regarding their interest in the area. Further, the Tribes will have ample opportunity to review the draft environmental document issued in this proceeding.

MCEAA noted that a rail line was constructed in the area in 1912, linking the Dunlay area to the area of the Medina Dam and questioned why the right of way for this line was not incorporated into the proposed alignment. The 1912 line has long been abandoned. Further, the right of way for that line has not been preserved and, for the most part, is not even visible from a ground inspection. (It is not clear that this 1912 line was ever a line subject to the jurisdiction of the STB's predecessor, the Interstate Commerce Commission. The name of the operating railroad is not known to SGR.) Moreover, the corridor followed by the long-abandoned 1912 line is several miles east of the planned quarry and therefore not suitable to the purpose to be served by the SGR line. In that regard, we understand that the abandoned line was used in the construction of, and thus terminated near, Medina Dam, which is about seven miles northeast of the planned quarry site. In addition, the abandoned 1912 line intersected with what is now the UP line at a point which is *south* of US 90. Thus, were the SGR to follow whatever abandoned

right of way still exists, a grade separation over that highway would be required. By contrast, no such crossing of US 90 is required under the proposal that is the subject of SGR's Petition in this proceeding because the SGR line has been designed to intersect with the UP line at a point where that line is north of US 90, obviating the need to cross that highway.

MCEAA raises a question about how trestle bridges will be constructed. The question of whether pile drivers will be used or not, as opposed to several other construction alternatives that might be available for use, will have to await a more complete engineering assessment by SGR, which would take place only after any final STB action approving the construction of the line. An assessment of the nature of the soil at the particular sites at issue would also have to be undertaken.

MCEAA claims that the railroad has not considered how it will manage any issues relating to crossing pipelines in the area, including vibration and flooding issues. The proposed line will cross only one pipeline, which is owned by Duke Energy. A second pipeline closer to the southern end of the line and owned by Koch Pipeline was removed in November 2003. SGR has been in communication with Duke about crossing its pipeline, which is about 3 feet below the surface. Duke advises that that pipeline is inactive (it is currently in a static state with 200 psi pressure) and that there are no plans for reactivating it. Duke has agreed to grant an easement to allow the crossing of the pipeline by SGR. Duke has not raised any safety-related concerns about crossing the pipeline, but SGR intends to further consult with Duke prior to construction.

Response to Dr. Thomas Hester

Apparently without the benefit of detailed maps of the rail line, Dr. Hester's November 6 letter provided a discussion of the archeological resources found in the general area. Given the rather limited area of disturbance contemplated by the single-track SGR line and the project's commitment to avoid those resources to the extent practicable, the line is unlikely to adversely impact historical or archeological sites. Further, if any such sites are encountered, it is likely that they could be avoided in the final design of the SGR line. It also bears noting that none of the sites identified in Dr. Hester's letter appear to be within the immediate area of the proposed line.

Dr Hester states that, "In order for NEPA, Sec. 106, or any number of other permitting processes to go forward, hundreds of thousands of dollars will have to be spent on archeological survey and geomorphology. The mitigation of only two or three sites would likely cost into the millions of dollars based on modern archaeological standards at the Federal and State level." SGR understands that more detailed information will need to be developed at an appropriate stage in coordination with SEA and THC procedures. However, SGR does not agree with Dr. Hester's views as to what is required by Section 106 or NEPA. As stated previously, SGR believes that, like other rail construction projects in recent years -- none of which have required anything approaching the type of surveying that Dr. Hester has described -- it will be able to avoid sites of cultural and historical significance. This will preclude the need for the extraordinary and unnecessary archeological excavations of the sort contemplated by Dr. Hester.

Ms. Victoria Rutson
January 5, 2004
Page 6

Response to Glenn K. Lindsey

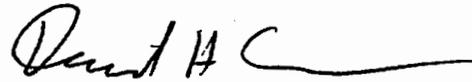
Mr. Lindsey, a local landowner, commented in his October 13 letter that the preferred route for the railroad would cross CR 4512 directly in front of the entrance to his home. However, under the preferred alignment, the Lindsey entrance is at least several hundred feet from the proposed crossing of CR 4512. The rail line therefore should not impact the entrance to Mr. Lindsey's property.

Mr. Lindsey commented that the Schuele-Saathoff house is not correctly located on the route maps and that it is much closer to the preferred alignment. U.S.G.S. Topographic maps with the exact location of the Schuele-Saathof House, including the latitude and longitude (NAD 27), as well as locations for all other known historical resources, can be provided to SEA upon request. These maps illustrate the approximate location of the preferred alignment and alternative routes and show that, at its closest point, the preferred route is approximately 910' from the Schuele-Saathof House. Again, SGR would be pleased to provide these maps if SEA wishes to review them.

* * *

It is SGR's commitment to work closely with appropriate agencies, interested Tribes and other parties, to ensure that archeological and historical resources are identified in the area of potential effect and that steps are taken to avoid such resources during construction. SGR looks forward to answering any questions that you or colleagues might have on these matters.

Sincerely,



David H. Coburn
Attorney for Southwest Gulf Railroad
Company

cc: Ms. Rini Ghosh, SEA
Ms. Jaya Zyman-Ponebshek, URS
Dr. Darrell Brownlow

#EI-596
RH



**Tap Pilam
Coahuiltecan Nation**

1426 El Paso
San Antonio, Texas 78207
Ph. 210-227-4940

Certified Letter 7003 1010 0000 2279 1405

2/4/2004

Surface Transportation Board
Chief Section of Environmental
1925 K Street N.W.
Washington, D.C. 20402-0001
Attention: Ms. Victoria Rutson

Ms. Rutson

Tap Pilam
Coahuiltecan
Tribal Council

Tribes

Pa-nam-a Payaya
Raymond Hernandez
coahtexo@hctc.net

Pompopa
Mickey Killian
pakawan@sabx.rr.com

Venados
Teodoso Herrera
venado5@sabx.rr.com

Auteca Paguame
Ramon Vasquez y
Sanchez
rvasquezysanchez@msn.
com

Pamposa
Stephen Casanova
scasanova@stcloudstate.
edu

This is in regard to Project 34284 S.W. Gulf in Quihi Texas Medina County. It has come to our attention that a Preliminary Cultural Resource Assessment has been prepared by your agency, concerning this site. We believe that your agency along with Advisory Council on Historic Preservation have not properly complied with Federal Law in regards to notifying American Indians with Cultural affiliation. It appears that no attempt was made to contact any of the aboriginal Tribes of Texas. This practice by Federal Agencies is dishonest and a disservice to American Indians and to all Taxpayers.

As Coahuiltecan Indians we know that these sites are very likely to be of our Ancestors (Same race & culture of people from which we descend). Many past practices by some archeologist and anthropologist have created much misinformation about existing Coahuiltecan Indian Tribes.

We respectfully are requesting that we be involve in the Consultation process and that all reports pertaining to this excavation be share with our Community. Information can be mailed to Tap Pilam Tribal Council Raymond Hernandez Cultural Preservationist Rt. 1 Box 76 B-2 Comfort, Texas 78013. Can be reached at Tel. # 830-995-3356 or 210-724-3356.

Respectfully

Raymond Hernandez
Tap Pilam Tribal Council

Cc Carol Legard
Advisory Council on Historic Preservation
12136 West Bayaud Suite 330
Lakewood Co 80228

#EO-102
RXL



SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Office of Economics, Environmental Analysis and Administration

May 7, 2004

Dorla Goombi
Environmental Department
Kiowa Tribe
P.O. Box 30
Carnegie, OK 73015

Re: STB Finance Docket 34284, Southwest Gulf Railroad Company -
Construction and Operation Exemption - Medina County, TX;
Formal Request to be a Consulting Party Under Section 106 of the
National Historic Preservation Act

Dear Ms. Goombi:

The Surface Transportation Board's (Board) Section of Environmental Analysis (SEA) is conducting an environmental review of a proposed rail line construction and operation in Medina County, Texas, pursuant to the National Environmental Policy Act (NEPA) and related environmental laws, including the National Historic Preservation Act (NHPA). SEA has identified your tribe as having traditional connections to the Medina County area of Texas and is formally inviting you to become involved in the environmental review process as a consulting party under Section 106 of the NHPA.

SEA has determined that an Environmental Impact Statement (EIS) is the appropriate type of NEPA document for this proceeding, and has recently completed the Final Scope of Study for the EIS, which we have enclosed for your review. SEA is currently preparing a Draft EIS (DEIS) that will be made available for public review and comment. The DEIS will include a discussion of potential impacts to cultural resources and a draft version of a Programmatic Agreement (PA) prepared pursuant to 36 CFR 800.14(b). Although a preliminary cultural resources assessment of the entire project area has been conducted, the PA will outline the process for additional identification, evaluation, effect assessment, and treatments to resolve any adverse effects to significant cultural resources located within the area of potential effect (APE) for the approved corridor.

We would value any information you could provide at these early stages of the environmental review process. We would also appreciate a response within 30 days of your receipt of this letter regarding your interest in acting as a consulting party for Section 106

purposes. Kindly indicate in your response if you would like copies of the DEIS and Draft PA to review. Your responses should be marked on the accompanying self-addressed postcard.

We look forward to working with you to ensure that any tribal concerns regarding this project are included as part of the Section 106 and NEPA processes. If you have any questions regarding this letter or require further information, please do not hesitate to call Rini Ghosh at (202) 565-1539 or Catherine Glidden at (202) 565-1542. For additional information regarding the Board, please refer to our web site at <http://www.stb.dot.gov>.

Sincerely,

A handwritten signature in black ink, appearing to read "Victoria Rutson". The signature is written in a cursive style with a large initial "V".

Victoria Rutson
Chief
Section of Environmental Analysis

Enclosures

#EO-103
R9



SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Office of Economics, Environmental Analysis and Administration

May 7, 2004

Mr. Steve Cadue
Chairperson
Kickapoo of Kansas
P.O. Box 271
Horton, KS 66439

Re: STB Finance Docket 34284, Southwest Gulf Railroad Company -
Construction and Operation Exemption - Medina County, TX;
Formal Request to be a Consulting Party Under Section 106 of the
National Historic Preservation Act

Dear Mr. Cadue:

The Surface Transportation Board's (Board) Section of Environmental Analysis (SEA) is conducting an environmental review of a proposed rail line construction and operation in Medina County, Texas, pursuant to the National Environmental Policy Act (NEPA) and related environmental laws, including the National Historic Preservation Act (NHPA). SEA has identified your tribe as having traditional connections to the Medina County area of Texas and is formally inviting you to become involved in the environmental review process as a consulting party under Section 106 of the NHPA.

SEA has determined that an Environmental Impact Statement (EIS) is the appropriate type of NEPA document for this proceeding, and has recently completed the Final Scope of Study for the EIS, which we have enclosed for your review. SEA is currently preparing a Draft EIS (DEIS) that will be made available for public review and comment. The DEIS will include a discussion of potential impacts to cultural resources and a draft version of a Programmatic Agreement (PA) prepared pursuant to 36 CFR 800.14(b). Although a preliminary cultural resources assessment of the entire project area has been conducted, the PA will outline the process for additional identification, evaluation, effect assessment, and treatments to resolve any adverse effects to significant cultural resources located within the area of potential effect (APE) for the approved corridor.

We would value any information you could provide at these early stages of the environmental review process. We would also appreciate a response within 30 days of your receipt of this letter regarding your interest in acting as a consulting party for Section 106

purposes. Kindly indicate in your response if you would like copies of the DEIS and Draft PA to review. Your responses should be marked on the accompanying self-addressed postcard.

We look forward to working with you to ensure that any tribal concerns regarding this project are included as part of the Section 106 and NEPA processes. If you have any questions regarding this letter or require further information, please do not hesitate to call Rini Ghosh at (202) 565-1539 or Catherine Glidden at (202) 565-1542. For additional information regarding the Board, please refer to our web site at <http://www.stb.dot.gov>.

Sincerely,

A handwritten signature in black ink, appearing to read "Victoria Rutson". The signature is fluid and cursive, with a large initial "V" and "R".

Victoria Rutson
Chief
Section of Environmental Analysis

Enclosures

#EO-104
RH



SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Office of Economics, Environmental Analysis and Administration

May 7, 2004

Alonzo Chalepah
Tribal Chairperson
Apache Tribe of Oklahoma
P.O. Box 1220
Andarko, OK 73005-1220

Re: STB Finance Docket 34284, Southwest Gulf Railroad Company -
Construction and Operation Exemption - Medina County, TX;
Formal Request to be a Consulting Party Under Section 106 of the
National Historic Preservation Act

Dear Mr. Chalepah:

The Surface Transportation Board's (Board) Section of Environmental Analysis (SEA) is conducting an environmental review of a proposed rail line construction and operation in Medina County, Texas, pursuant to the National Environmental Policy Act (NEPA) and related environmental laws, including the National Historic Preservation Act (NHPA). SEA has identified your tribe as having traditional connections to the Medina County area of Texas and is formally inviting you to become involved in the environmental review process as a consulting party under Section 106 of the NHPA.

SEA has determined that an Environmental Impact Statement (EIS) is the appropriate type of NEPA document for this proceeding, and has recently completed the Final Scope of Study for the EIS, which we have enclosed for your review. SEA is currently preparing a Draft EIS (DEIS) that will be made available for public review and comment. The DEIS will include a discussion of potential impacts to cultural resources and a draft version of a Programmatic Agreement (PA) prepared pursuant to 36 CFR 800.14(b). Although a preliminary cultural resources assessment of the entire project area has been conducted, the PA will outline the process for additional identification, evaluation, effect assessment, and treatments to resolve any adverse effects to significant cultural resources located within the area of potential effect (APE) for the approved corridor.

We would value any information you could provide at these early stages of the environmental review process. We would also appreciate a response within 30 days of your receipt of this letter regarding your interest in acting as a consulting party for Section 106 purposes. Kindly indicate in your response if you would like copies of the DEIS and Draft PA to review. Your responses should be marked on the accompanying self-addressed postcard.

We look forward to working with you to ensure that any tribal concerns regarding this project are included as part of the Section 106 and NEPA processes. If you have any questions regarding this letter or require further information, please do not hesitate to call Rini Ghosh at (202) 565-1539 or Catherine Glidden at (202) 565-1542. For additional information regarding the Board, please refer to our web site at <http://www.stb.dot.gov> .

Sincerely,

A handwritten signature in black ink, appearing to read "Victoria Rutson". The signature is written in a cursive style with a large initial "V".

Victoria Rutson
Chief
Section of Environmental Analysis

Enclosures

#EO-105
RH



SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Office of Economics, Environmental Analysis and Administration

May 7, 2004

Kenneth Chambers
Principal Chief
Seminole Nation of Oklahoma
P.O. Box 1498
Wewoka, OK 74884

Re: STB Finance Docket 34284, Southwest Gulf Railroad Company -
Construction and Operation Exemption - Medina County, TX;
Formal Request to be a Consulting Party Under Section 106 of the
National Historic Preservation Act

Dear Mr. Chambers:

The Surface Transportation Board's (Board) Section of Environmental Analysis (SEA) is conducting an environmental review of a proposed rail line construction and operation in Medina County, Texas, pursuant to the National Environmental Policy Act (NEPA) and related environmental laws, including the National Historic Preservation Act (NHPA). SEA has identified your tribe as having traditional connections to the Medina County area of Texas and is formally inviting you to become involved in the environmental review process as a consulting party under Section 106 of the NHPA.

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We would value any information you could provide at these early stages of the environmental review process. We would also appreciate a response within 30 days of your

receipt of this letter regarding your interest in acting as a consulting party for Section 106 purposes. Kindly indicate in your response if you would like copies of the DEIS and Draft PA to review. Your responses should be marked on the accompanying self-addressed postcard.

We look forward to working with you to ensure that any tribal concerns regarding this project are included as part of the Section 106 and NEPA processes. If you have any questions regarding this letter or require further information, please do not hesitate to call Rini Ghosh at (202) 565-1539 or Catherine Glidden at (202) 565-1542. For additional information regarding the Board, please refer to our web site at <http://www.stb.dot.gov>.

Sincerely,

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Victoria Rutson
Chief
Section of Environmental Analysis

Enclosures

#EO-106
RA



SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Office of Economics, Environmental Analysis and Administration

May 7, 2004

Billy Cypress
c/o W.S. Steele
Seminole Tribe of Florida
Ah-Tah-Thi-Ka Museum
HC-61, Box 21A
Clewiston, FL 33440

Re: STB Finance Docket 34284, Southwest Gulf Railroad Company -
Construction and Operation Exemption - Medina County, TX;
Formal Request to be a Consulting Party Under Section 106 of the
National Historic Preservation Act

Dear Mr. Cypress:

The Surface Transportation Board's (Board) Section of Environmental Analysis (SEA) is conducting an environmental review of a proposed rail line construction and operation in Medina County, Texas, pursuant to the National Environmental Policy Act (NEPA) and related environmental laws, including the National Historic Preservation Act (NHPA). SEA has identified your tribe as having traditional connections to the Medina County area of Texas and is formally inviting you to become involved in the environmental review process as a consulting party under Section 106 of the NHPA.

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We would value any information you could provide at these early stages of the environmental review process. We would also appreciate a response within 30 days of your

receipt of this letter regarding your interest in acting as a consulting party for Section 106 purposes. Kindly indicate in your response if you would like copies of the DEIS and Draft PA to review. Your responses should be marked on the accompanying self-addressed postcard.

We look forward to working with you to ensure that any tribal concerns regarding this project are included as part of the Section 106 and NEPA processes. If you have any questions regarding this letter or require further information, please do not hesitate to call Rini Ghosh at (202) 565-1539 or Catherine Glidden at (202) 565-1542. For additional information regarding the Board, please refer to our web site at <http://www.stb.dot.gov>.

Sincerely,

A handwritten signature in black ink, appearing to read "Victoria Rutson". The signature is fluid and cursive, with the first name being more prominent.

Victoria Rutson
Chief
Section of Environmental Analysis

Enclosures



SURFACE TRANSPORTATION BOARD
Washington, DC 20423

#EO-107
Ry

Office of Economics, Environmental Analysis and Administration

May 7, 2004

Juan Garza Jr.
Tribal Chairperson
Kickapoo Traditional Tribe of Texas
HC 1
Box 9700
Eagle Pass, TX 78852

Re: STB Finance Docket 34284, Southwest Gulf Railroad Company -
Construction and Operation Exemption - Medina County, TX;
Formal Request to be a Consulting Party Under Section 106 of the
National Historic Preservation Act

Dear Mr. Garza Jr.:

The Surface Transportation Board's (Board) Section of Environmental Analysis (SEA) is conducting an environmental review of a proposed rail line construction and operation in Medina County, Texas, pursuant to the National Environmental Policy Act (NEPA) and related environmental laws, including the National Historic Preservation Act (NHPA). SEA has identified your tribe as having traditional connections to the Medina County area of Texas and is formally inviting you to become involved in the environmental review process as a consulting party under Section 106 of the NHPA.

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We would value any information you could provide at these early stages of the environmental review process. We would also appreciate a response within 30 days of your receipt of this letter regarding your interest in acting as a consulting party for Section 106

purposes. Kindly indicate in your response if you would like copies of the DEIS and Draft PA to review. Your responses should be marked on the accompanying self-addressed postcard.

We look forward to working with you to ensure that any tribal concerns regarding this project are included as part of the Section 106 and NEPA processes. If you have any questions regarding this letter or require further information, please do not hesitate to call Rini Ghosh at (202) 565-1539 or Catherine Glidden at (202) 565-1542. For additional information regarding the Board, please refer to our web site at <http://www.stb.dot.gov>.

Sincerely,

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Victoria Rutson
Chief
Section of Environmental Analysis

Enclosures

#EO-108
RA



SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Office of Economics, Environmental Analysis and Administration

May 7, 2004

Holly Houghton
Tribal Historic Preservation Officer
Mescalero Apache Tribe
PO Box 227
Mescalero, NM 88340

Re: STB Finance Docket 34284, Southwest Gulf Railroad Company -
Construction and Operation Exemption - Medina County, TX;
Formal Request to be a Consulting Party Under Section 106 of the
National Historic Preservation Act

Dear Ms. Houghton:

The Surface Transportation Board's (Board) Section of Environmental Analysis (SEA) is conducting an environmental review of a proposed rail line construction and operation in Medina County, Texas, pursuant to the National Environmental Policy Act (NEPA) and related environmental laws, including the National Historic Preservation Act (NHPA). SEA has identified your tribe as having traditional connections to the Medina County area of Texas and is formally inviting you to become involved in the environmental review process as a consulting party under Section 106 of the NHPA.

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We would value any information you could provide at these early stages of the environmental review process. We would also appreciate a response within 30 days of your receipt of this letter regarding your interest in acting as a consulting party for Section 106

purposes. Kindly indicate in your response if you would like copies of the DEIS and Draft PA to review. Your responses should be marked on the accompanying self-addressed postcard.

We look forward to working with you to ensure that any tribal concerns regarding this project are included as part of the Section 106 and NEPA processes. If you have any questions regarding this letter or require further information, please do not hesitate to call Rini Ghosh at (202) 565-1539 or Catherine Glidden at (202) 565-1542. For additional information regarding the Board, please refer to our web site at <http://www.stb.dot.gov> .

Sincerely,

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Victoria Rutson
Chief
Section of Environmental Analysis

Enclosures



SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Office of Economics, Environmental Analysis and Administration

May 7, 2004

Troy Johanntoberns
Director, Environmental Department
Wichita & Affiliated Tribes
P.O. Box 729
Anadarko, OK 73005

Re: STB Finance Docket 34284, Southwest Gulf Railroad Company -
Construction and Operation Exemption - Medina County, TX;
Formal Request to be a Consulting Party Under Section 106 of the
National Historic Preservation Act

Dear Mr. Johanntoberns:

The Surface Transportation Board's (Board) Section of Environmental Analysis (SEA) is conducting an environmental review of a proposed rail line construction and operation in Medina County, Texas, pursuant to the National Environmental Policy Act (NEPA) and related environmental laws, including the National Historic Preservation Act (NHPA). SEA has identified your tribe as having traditional connections to the Medina County area of Texas and is formally inviting you to become involved in the environmental review process as a consulting party under Section 106 of the NHPA.

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We would value any information you could provide at these early stages of the environmental review process. We would also appreciate a response within 30 days of your receipt of this letter regarding your interest in acting as a consulting party for Section 106

purposes. Kindly indicate in your response if you would like copies of the DEIS and Draft PA to review. Your responses should be marked on the accompanying self-addressed postcard.

We look forward to working with you to ensure that any tribal concerns regarding this project are included as part of the Section 106 and NEPA processes. If you have any questions regarding this letter or require further information, please do not hesitate to call Rini Ghosh at (202) 565-1539 or Catherine Glidden at (202) 565-1542. For additional information regarding the Board, please refer to our web site at <http://www.stb.dot.gov>.

Sincerely,

A handwritten signature in black ink, appearing to read "Victoria Rutson". The signature is fluid and cursive, with the first name being more prominent.

Victoria Rutson
Chief
Section of Environmental Analysis

Enclosures



SURFACE TRANSPORTATION BOARD
Washington, DC 20423

#EO-111
RL

Office of Economics, Environmental Analysis and Administration

May 7, 2004

Richard Allen
Research Analyst
Cherokee Nation
P.O. Box 948
Tahlequah OK 74465

Re: STB Finance Docket 34284, Southwest Gulf Railroad Company -
Construction and Operation Exemption - Medina County, TX;
Formal Request to be a Consulting Party Under Section 106 of the
National Historic Preservation Act

Dear Mr. Allen:

The Surface Transportation Board's (Board) Section of Environmental Analysis (SEA) is conducting an environmental review of a proposed rail line construction and operation in Medina County, Texas, pursuant to the National Environmental Policy Act (NEPA) and related environmental laws, including the National Historic Preservation Act (NHPA). SEA has identified your tribe as having traditional connections to the Medina County area of Texas and is formally inviting you to become involved in the environmental review process as a consulting party under Section 106 of the NHPA.

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We would value any information you could provide at these early stages of the environmental review process. We would also appreciate a response within 30 days of your receipt of this letter regarding your interest in acting as a consulting party for Section 106

purposes. Kindly indicate in your response if you would like copies of the DEIS and Draft PA to review. Your responses should be marked on the accompanying self-addressed postcard.

We look forward to working with you to ensure that any tribal concerns regarding this project are included as part of the Section 106 and NEPA processes. If you have any questions regarding this letter or require further information, please do not hesitate to call Rini Ghosh at (202) 565-1539 or Catherine Glidden at (202) 565-1542. For additional information regarding the Board, please refer to our web site at <http://www.stb.dot.gov>.

Sincerely,

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Victoria Rutson
Chief
Section of Environmental Analysis

Enclosures



SURFACE TRANSPORTATION BOARD
Washington, DC 20423

#EO-112
RS

Office of Economics, Environmental Analysis and Administration

May 7, 2004

Mr. Town King
Kialegee Tribal Town
P.O. Box 332
Wetumka, OK 74883

Re: STB Finance Docket 34284, Southwest Gulf Railroad Company -
Construction and Operation Exemption - Medina County, TX;
Formal Request to be a Consulting Party Under Section 106 of the
National Historic Preservation Act

Dear Mr. King:

The Surface Transportation Board's (Board) Section of Environmental Analysis (SEA) is conducting an environmental review of a proposed rail line construction and operation in Medina County, Texas, pursuant to the National Environmental Policy Act (NEPA) and related environmental laws, including the National Historic Preservation Act (NHPA). SEA has identified your tribe as having traditional connections to the Medina County area of Texas and is formally inviting you to become involved in the environmental review process as a consulting party under Section 106 of the NHPA.

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We would value any information you could provide at these early stages of the environmental review process. We would also appreciate a response within 30 days of your receipt of this letter regarding your interest in acting as a consulting party for Section 106

purposes. Kindly indicate in your response if you would like copies of the DEIS and Draft PA to review. Your responses should be marked on the accompanying self-addressed postcard.

We look forward to working with you to ensure that any tribal concerns regarding this project are included as part of the Section 106 and NEPA processes. If you have any questions regarding this letter or require further information, please do not hesitate to call Rini Ghosh at (202) 565-1539 or Catherine Glidden at (202) 565-1542. For additional information regarding the Board, please refer to our web site at <http://www.stb.dot.gov>.

Sincerely,

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Victoria Rutson
Chief
Section of Environmental Analysis

Enclosures



SURFACE TRANSPORTATION BOARD
Washington, DC 20423

#EO-113
R2

Office of Economics, Environmental Analysis and Administration

May 7, 2004

Carl Martin
Tribal Chairperson
Tonkawa Tribe of Oklahoma
1 Rush Buffalo Rd.
Tonkawa, OK 74653

Re: STB Finance Docket 34284, Southwest Gulf Railroad Company -
Construction and Operation Exemption - Medina County, TX;
Formal Request to be a Consulting Party Under Section 106 of the
National Historic Preservation Act

Dear Mr. Martin:

The Surface Transportation Board's (Board) Section of Environmental Analysis (SEA) is conducting an environmental review of a proposed rail line construction and operation in Medina County, Texas, pursuant to the National Environmental Policy Act (NEPA) and related environmental laws, including the National Historic Preservation Act (NHPA). SEA has identified your tribe as having traditional connections to the Medina County area of Texas and is formally inviting you to become involved in the environmental review process as a consulting party under Section 106 of the NHPA.

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purposes. Kindly indicate in your response if you would like copies of the DEIS and Draft PA to review. Your responses should be marked on the accompanying self-addressed postcard.

We look forward to working with you to ensure that any tribal concerns regarding this project are included as part of the Section 106 and NEPA processes. If you have any questions regarding this letter or require further information, please do not hesitate to call Rini Ghosh at (202) 565-1539 or Catherine Glidden at (202) 565-1542. For additional information regarding the Board, please refer to our web site at <http://www.stb.dot.gov>.

Sincerely,

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Victoria Rutson
Chief
Section of Environmental Analysis

Enclosures



SURFACE TRANSPORTATION BOARD
Washington, DC 20423

#EO-114
RA

Office of Economics, Environmental Analysis and Administration

May 7, 2004

John Miller
Chairperson
Pokagon Band of Potawatomi Indians of Michigan and Indiana
58620 Sink Rd.
Dowagiac, MI 49047

Re: STB Finance Docket 34284, Southwest Gulf Railroad Company -
Construction and Operation Exemption - Medina County, TX;
Formal Request to be a Consulting Party Under Section 106 of the
National Historic Preservation Act

Dear Mr. Miller:

The Surface Transportation Board's (Board) Section of Environmental Analysis (SEA) is conducting an environmental review of a proposed rail line construction and operation in Medina County, Texas, pursuant to the National Environmental Policy Act (NEPA) and related environmental laws, including the National Historic Preservation Act (NHPA). SEA has identified your tribe as having traditional connections to the Medina County area of Texas and is formally inviting you to become involved in the environmental review process as a consulting party under Section 106 of the NHPA.

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purposes. Kindly indicate in your response if you would like copies of the DEIS and Draft PA to review. Your responses should be marked on the accompanying self-addressed postcard.

We look forward to working with you to ensure that any tribal concerns regarding this project are included as part of the Section 106 and NEPA processes. If you have any questions regarding this letter or require further information, please do not hesitate to call Rini Ghosh at (202) 565-1539 or Catherine Glidden at (202) 565-1542. For additional information regarding the Board, please refer to our web site at <http://www.stb.dot.gov>.

Sincerely,

A handwritten signature in black ink, appearing to read "Victoria Rutson". The signature is fluid and cursive, with the first name being more prominent.

Victoria Rutson
Chief
Section of Environmental Analysis

Enclosures

#EO-115
RH



SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Office of Economics, Environmental Analysis and Administration

May 7, 2004

Dallas Proctor
Chief
United Keetoowah Band of Cherokee Indians
P.O. Box 736
Tahlequah, OK 74465

Re: STB Finance Docket 34284, Southwest Gulf Railroad Company -
Construction and Operation Exemption - Medina County, TX;
Formal Request to be a Consulting Party Under Section 106 of the
National Historic Preservation Act

Dear Mr. Proctor:

The Surface Transportation Board's (Board) Section of Environmental Analysis (SEA) is conducting an environmental review of a proposed rail line construction and operation in Medina County, Texas, pursuant to the National Environmental Policy Act (NEPA) and related environmental laws, including the National Historic Preservation Act (NHPA). SEA has identified your tribe as having traditional connections to the Medina County area of Texas and is formally inviting you to become involved in the environmental review process as a consulting party under Section 106 of the NHPA.

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We would value any information you could provide at these early stages of the environmental review process. We would also appreciate a response within 30 days of your receipt of this letter regarding your interest in acting as a consulting party for Section 106

purposes. Kindly indicate in your response if you would like copies of the DEIS and Draft PA to review. Your responses should be marked on the accompanying self-addressed postcard.

We look forward to working with you to ensure that any tribal concerns regarding this project are included as part of the Section 106 and NEPA processes. If you have any questions regarding this letter or require further information, please do not hesitate to call Rini Ghosh at (202) 565-1539 or Catherine Glidden at (202) 565-1542. For additional information regarding the Board, please refer to our web site at <http://www.stb.dot.gov>.

Sincerely,

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Victoria Rutson
Chief
Section of Environmental Analysis

Enclosures



SURFACE TRANSPORTATION BOARD
Washington, DC 20423

#EO-116
RL

Office of Economics, Environmental Analysis and Administration

May 7, 2004

Margie Salazar
Tribal Administrator
Kickapoo Traditional Tribe of Texas
HC 1
Box 9700
Eagle Pass, TX 78852

Re: STB Finance Docket 34284, Southwest Gulf Railroad Company -
Construction and Operation Exemption - Medina County, TX;
Formal Request to be a Consulting Party Under Section 106 of the
National Historic Preservation Act

Dear Ms. Salazar:

The Surface Transportation Board's (Board) Section of Environmental Analysis (SEA) is conducting an environmental review of a proposed rail line construction and operation in Medina County, Texas, pursuant to the National Environmental Policy Act (NEPA) and related environmental laws, including the National Historic Preservation Act (NHPA). SEA has identified your tribe as having traditional connections to the Medina County area of Texas and is formally inviting you to become involved in the environmental review process as a consulting party under Section 106 of the NHPA.

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We would value any information you could provide at these early stages of the environmental review process. We would also appreciate a response within 30 days of your receipt of this letter regarding your interest in acting as a consulting party for Section 106

purposes. Kindly indicate in your response if you would like copies of the DEIS and Draft PA to review. Your responses should be marked on the accompanying self-addressed postcard.

We look forward to working with you to ensure that any tribal concerns regarding this project are included as part of the Section 106 and NEPA processes. If you have any questions regarding this letter or require further information, please do not hesitate to call Rini Ghosh at (202) 565-1539 or Catherine Glidden at (202) 565-1542. For additional information regarding the Board, please refer to our web site at <http://www.stb.dot.gov>.

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Victoria Rutson
Chief
Section of Environmental Analysis

Enclosures

#EO-117
RJ



SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Office of Economics, Environmental Analysis and Administration

May 7, 2004

Robert Thrower
Tribal Historic Preservation Officer
Poarch Band of Creek Indians of Alabama
5811 Jack Springs Rd.
Atmore, AL 36502

Re: STB Finance Docket 34284, Southwest Gulf Railroad Company -
Construction and Operation Exemption - Medina County, TX;
Formal Request to be a Consulting Party Under Section 106 of the
National Historic Preservation Act

Dear Mr. Thrower:

The Surface Transportation Board's (Board) Section of Environmental Analysis (SEA) is conducting an environmental review of a proposed rail line construction and operation in Medina County, Texas, pursuant to the National Environmental Policy Act (NEPA) and related environmental laws, including the National Historic Preservation Act (NHPA). SEA has identified your tribe as having traditional connections to the Medina County area of Texas and is formally inviting you to become involved in the environmental review process as a consulting party under Section 106 of the NHPA.

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We look forward to working with you to ensure that any tribal concerns regarding this project are included as part of the Section 106 and NEPA processes. If you have any questions regarding this letter or require further information, please do not hesitate to call Rini Ghosh at (202) 565-1539 or Catherine Glidden at (202) 565-1542. For additional information regarding the Board, please refer to our web site at <http://www.stb.dot.gov>.

Sincerely,

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Victoria Rutson
Chief
Section of Environmental Analysis

Enclosures



SURFACE TRANSPORTATION BOARD
Washington, DC 20423

#EO-118
RS

Office of Economics, Environmental Analysis and Administration

May 7, 2004

Danny Kaskaske
Chairperson
Kickapoo of Oklahoma
Business Committee
P.O. Box 70
McCloud, OK 74851

Re: STB Finance Docket 34284, Southwest Gulf Railroad Company -
Construction and Operation Exemption - Medina County, TX;
Formal Request to be a Consulting Party Under Section 106 of the
National Historic Preservation Act

Dear Mr. Kaskaske:

The Surface Transportation Board's (Board) Section of Environmental Analysis (SEA) is conducting an environmental review of a proposed rail line construction and operation in Medina County, Texas, pursuant to the National Environmental Policy Act (NEPA) and related environmental laws, including the National Historic Preservation Act (NHPA). SEA has identified your tribe as having traditional connections to the Medina County area of Texas and is formally inviting you to become involved in the environmental review process as a consulting party under Section 106 of the NHPA.

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We look forward to working with you to ensure that any tribal concerns regarding this project are included as part of the Section 106 and NEPA processes. If you have any questions regarding this letter or require further information, please do not hesitate to call Rini Ghosh at (202) 565-1539 or Catherine Glidden at (202) 565-1542. For additional information regarding the Board, please refer to our web site at <http://www.stb.dot.gov>.

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Victoria Rutson
Chief
Section of Environmental Analysis

Enclosures



SURFACE TRANSPORTATION BOARD
Washington, DC 20423

#EO-119
RS

Office of Economics, Environmental Analysis and Administration

May 7, 2004

Mr. Jim Arterberry
Director for Environmental Program
c/o Comanche Nation
P.O. Box 908
Lawton, OK 73502

Re: STB Finance Docket 34284, Southwest Gulf Railroad Company -
Construction and Operation Exemption - Medina County, TX;
Formal Request to be a Consulting Party Under Section 106 of the
National Historic Preservation Act

Dear Mr. Arterberry:

The Surface Transportation Board's (Board) Section of Environmental Analysis (SEA) is conducting an environmental review of a proposed rail line construction and operation in Medina County, Texas, pursuant to the National Environmental Policy Act (NEPA) and related environmental laws, including the National Historic Preservation Act (NHPA). SEA has identified your tribe as having traditional connections to the Medina County area of Texas and is formally inviting you to become involved in the environmental review process as a consulting party under Section 106 of the NHPA.

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purposes. Kindly indicate in your response if you would like copies of the DEIS and Draft PA to review. Your responses should be marked on the accompanying self-addressed postcard.

We look forward to working with you to ensure that any tribal concerns regarding this project are included as part of the Section 106 and NEPA processes. If you have any questions regarding this letter or require further information, please do not hesitate to call Rini Ghosh at (202) 565-1539 or Catherine Glidden at (202) 565-1542. For additional information regarding the Board, please refer to our web site at <http://www.stb.dot.gov>.

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Victoria Rutson
Chief
Section of Environmental Analysis

Enclosures



SURFACE TRANSPORTATION BOARD
Washington, DC 20423

#EO-120
RA

Office of Economics, Environmental Analysis and Administration

May 7, 2004

The Honorable Henry Bonilla
U.S. House of Representatives
1120 Wurzbach, Suite 300
San Antonio, TX 78230

Re: STB Finance Docket 34284, Southwest Gulf Railroad Company -
Construction and Operation Exemption - Medina County, TX

Dear Congressman Bonilla:

As you know, the Surface Transportation Board's Section of Environmental Analysis (SEA) is conducting an environmental review of a proposed rail line construction and operation in Medina County, Texas, pursuant to the National Environmental Policy Act (NEPA) and related environmental laws, including the National Historic Preservation Act (NHPA). SEA appreciates your interest and participation in the environmental review process as a consulting party under Section 106 of the NHPA and is writing to update you on the next steps in the Section 106 process for this proceeding.

SEA has determined that an Environmental Impact Statement (EIS) is the appropriate type of NEPA document for this proceeding, and has recently completed the Final Scope of Study for the EIS, which we have mailed to you under separate cover. SEA is currently preparing a Draft EIS (DEIS) that will be made available for public review and comment. The DEIS will include a discussion of potential impacts to cultural resources and a draft version of a Programmatic Agreement (PA) prepared pursuant to 36 CFR 800.14(b). Although a preliminary cultural resources assessment of the entire project area has been conducted, the PA will outline the process for additional identification, evaluation, effect assessment and treatments to resolve any adverse effects to significant cultural resources located within the area of potential effect (APE) for the approved corridor.

We look forward to working with you to ensure proper completion of the Section 106 process and will appreciate any comments you may provide on the DEIS and Draft PA, when

available. If you have any questions, please do not hesitate to contact me or Rini Ghosh of my staff at (202) 565-1539.

Sincerely,

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Victoria Rutson
Chief
Section of Environmental Analysis

#EO-121
RA



SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Office of Economics, Environmental Analysis and Administration

May 7, 2004

Carol Carpenter
President
Schweers Historical Foundation
500 Dresden Wood Dr.
Boerne, TX 78006

Re: STB Finance Docket 34284, Southwest Gulf Railroad Company -
Construction and Operation Exemption - Medina County, TX

Dear Ms. Carpenter:

As you know, the Surface Transportation Board's Section of Environmental Analysis (SEA) is conducting an environmental review of a proposed rail line construction and operation in Medina County, Texas, pursuant to the National Environmental Policy Act (NEPA) and related environmental laws, including the National Historic Preservation Act (NHPA). SEA appreciates your interest and participation in the environmental review process as a consulting party under Section 106 of the NHPA and is writing to update you on the next steps in the Section 106 process for this proceeding.

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Sincerely,

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Victoria Rutson
Chief
Section of Environmental Analysis

cc: Mr. Donald Schoch



SURFACE TRANSPORTATION BOARD
Washington, DC 20423

#E0-122
RS

Office of Economics, Environmental Analysis and Administration

May 7, 2004

Mr. David Coburn, Esq.
Steptoe & Johnson, LLP
1330 Connecticut Avenue, NW
Washington, DC 20036-1795

Re: STB Finance Docket 34284, Southwest Gulf Railroad Company -
Construction and Operation Exemption - Medina County, TX

Mr. Coburn:

As you know, the Surface Transportation Board's Section of Environmental Analysis (SEA) is conducting an environmental review of a proposed rail line construction and operation in Medina County, Texas, pursuant to the National Environmental Policy Act (NEPA) and related environmental laws, including the National Historic Preservation Act (NHPA). SEA appreciates your interest and participation in the environmental review process as a consulting party under Section 106 of the NHPA and is writing to update you on the next steps in the Section 106 process for this proceeding.

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Sincerely,

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Victoria Rutson
Chief
Section of Environmental Analysis

#EO-123
RH



SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Office of Economics, Environmental Analysis and Administration

May 7, 2004

Dr. Robert Fitzgerald
Private Landowner/
President, MCEAA
202 CR 450
Hondo, TX 78861

Re: STB Finance Docket 34284, Southwest Gulf Railroad Company -
Construction and Operation Exemption - Medina County, TX

Dear Dr. Fitzgerald:

As you know, the Surface Transportation Board's Section of Environmental Analysis (SEA) is conducting an environmental review of a proposed rail line construction and operation in Medina County, Texas, pursuant to the National Environmental Policy Act (NEPA) and related environmental laws, including the National Historic Preservation Act (NHPA). SEA appreciates your interest and participation in the environmental review process as a consulting party under Section 106 of the NHPA and is writing to update you on the next steps in the Section 106 process for this proceeding.

SEA has determined that an Environmental Impact Statement (EIS) is the appropriate type of NEPA document for this proceeding, and has recently completed the Final Scope of Study for the EIS, which we have mailed to you under separate cover. SEA is currently preparing a Draft EIS (DEIS) that will be made available for public review and comment. The DEIS will include a discussion of potential impacts to cultural resources and a draft version of a Programmatic Agreement (PA) prepared pursuant to 36 CFR 800.14(b). Although a preliminary cultural resources assessment of the entire project area has been conducted, the PA will outline the process for additional identification, evaluation, effect assessment and treatments to resolve any adverse effects to significant cultural resources located within the area of potential effect (APE) for the approved corridor.

We look forward to working with you to ensure proper completion of the Section 106 process and will appreciate any comments you may provide on the DEIS and Draft PA, when

available. If you have any questions, please do not hesitate to contact me or Rini Ghosh of my staff at (202) 565-1539.

Sincerely,

A handwritten signature in black ink, appearing to read "Victoria Rutson". The signature is fluid and cursive, with a large initial "V" and "R".

Victoria Rutson
Chief
Section of Environmental Analysis

cc: Mr. David Barton, Esq.
Dr. Lynn Kitchen
Dr. Thomas Hester

#EO-124
RH



SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Office of Economics, Environmental Analysis and Administration

May 7, 2004

Mr. Archie Gerdes
450 CR 351
Hondo, TX 78861

Re: STB Finance Docket 34284, Southwest Gulf Railroad Company -
Construction and Operation Exemption - Medina County, TX

Dear Mr. Gerdes:

As you know, the Surface Transportation Board's Section of Environmental Analysis (SEA) is conducting an environmental review of a proposed rail line construction and operation in Medina County, Texas, pursuant to the National Environmental Policy Act (NEPA) and related environmental laws, including the National Historic Preservation Act (NHPA). SEA appreciates your interest and participation in the environmental review process as a consulting party under Section 106 of the NHPA and is writing to update you on the next steps in the Section 106 process for this proceeding.

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Sincerely,

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Victoria Rutson
Chief
Section of Environmental Analysis

#EO-125
RX



SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Office of Economics, Environmental Analysis and Administration

May 7, 2004

Mr. Robert Hancock
Chairman
Medina County Historical Commission
Medina County Courthouse
Hondo, TX 78861

Re: STB Finance Docket 34284, Southwest Gulf Railroad Company -
Construction and Operation Exemption - Medina County, TX

Dear Mr. Hancock:

As you know, the Surface Transportation Board's Section of Environmental Analysis (SEA) is conducting an environmental review of a proposed rail line construction and operation in Medina County, Texas, pursuant to the National Environmental Policy Act (NEPA) and related environmental laws, including the National Historic Preservation Act (NHPA). SEA appreciates your interest and participation in the environmental review process as a consulting party under Section 106 of the NHPA and is writing to update you on the next steps in the Section 106 process for this proceeding.

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available. If you have any questions, please do not hesitate to contact me or Rini Ghosh of my staff at (202) 565-1539.

Sincerely,

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Victoria Rutson
Chief
Section of Environmental Analysis



SURFACE TRANSPORTATION BOARD
Washington, DC 20423

#E0-126
RX

Office of Economics, Environmental Analysis and Administration

May 7, 2004

Mrs. Cynthia Lindsey
Quihi & New Fountain Historical Society
P.O. Box 93
190 CR 4512
Hondo, TX 78861

Re: STB Finance Docket 34284, Southwest Gulf Railroad Company -
Construction and Operation Exemption - Medina County, TX

Mrs. Cynthia Lindsey:

As you know, the Surface Transportation Board's Section of Environmental Analysis (SEA) is conducting an environmental review of a proposed rail line construction and operation in Medina County, Texas, pursuant to the National Environmental Policy Act (NEPA) and related environmental laws, including the National Historic Preservation Act (NHPA). SEA appreciates your interest and participation in the environmental review process as a consulting party under Section 106 of the NHPA and is writing to update you on the next steps in the Section 106 process for this proceeding.

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Victoria Rutson
Chief
Section of Environmental Analysis

cc: Ms. Necey Schulte

EO-21
RA

SURFACE TRANSPORTATION BOARD

Washington, DC 20423

Office of Economics, Environmental Analysis, and Administration

July 7, 2003

Ms. Pam Opiela
Project Reviewer
Texas Historical Commission
P.O. Box 12276
Austin, TX 78711-2276

Re: STB Finance Docket 34284, Southwest Gulf Railroad Company –
Construction and Operation Exemption – Medina County, TX

Dear Ms. Opiela:

Thank you for your letter dated June 11, 2003, in which you requested certain documentation to identify cultural resources within the area of potential effect for the above-titled proceeding to assist in your National Historic Preservation Act (NHPA) section 106 project review. The Surface Transportation Board's Section of Environmental Analysis (SEA) is beginning the process of conducting an environmental review of the proposed rail construction and operation in Medina County, Texas, pursuant to the National Environmental Policy Act and related environmental regulations, including NHPA, and looks forward to working with you as we carry out our responsibilities under section 106 of NHPA.

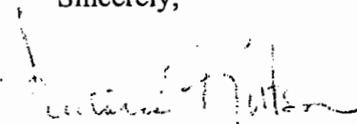
As part of this environmental review, SEA is beginning to conduct surveys of the project area to identify historic sites and structures in the vicinity of the proposed rail line. SEA also plans to conduct technical studies to assist in the assessment of potential impacts from the proposed construction and operation on historic and cultural resources. The findings of the surveys and the results of the studies will be included in a draft environmental document, which SEA will issue for public review and comment.

I understand that you have discussed this project with URS Corporation, Inc. (URS), SEA's independent third-party contractor, who is working under SEA's direction to assist SEA in conducting the environmental review process. In addition, you have indicated that submission of the draft environmental document to you would be sufficient to begin your section 106 review of the proposed project. SEA would appreciate any information or assistance you can provide regarding the historic and cultural resources in the area as we conduct our surveys and our studies.

If you would like more detailed information regarding SEA's preliminary findings and studies prior to issuance of the draft environmental document, we would be happy to schedule a meeting with you to discuss the steps SEA has taken and plans to take to identify and evaluate historic properties, as specified in 36 CFR 800.4. Such a meeting would also enable you to provide invaluable input and guidance during the early stages of our review. URS is located in Austin, Texas and could meet with you in person; Rini Ghosh of my staff and I could participate via telephone. Please let me know if you would be interested in a meeting.

I look forward to working with you to ensure proper completion of the section 106 process for this proceeding. If you are interested in scheduling a meeting or if you have questions or require further information, please do not hesitate to contact me or Rini Ghosh at (202) 565-1539.

Sincerely,



Victoria Rutson

Chief

Section of Environmental Analysis

#EC-22
RJ

SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Office of Economics, Environmental Analysis, and Administration

July 21, 2003

Dr. Robert Fitzgerald
President
Medina County Environmental Action Association
202 CR 450
Hondo, TX 78861

**Re: STB Finance Docket No. 34284 – Southwest Gulf Railroad Company
– Construction and Operation Exemption – Medina County, TX –
Request to be Consulting Party under Section 106 of the National
Historic Preservation Act**

Dear Dr. Fitzgerald:

Thank you for your letter dated June 30, 2003. As you know, the Surface Transportation Board's Section of Environmental Analysis (SEA) is conducting an environmental review of Southwest Gulf Railroad Company's proposed rail construction and operation in Medina County, Texas, pursuant to the National Environmental Policy Act and related environmental regulations, including the National Historic Preservation Act (NHPA).

We appreciate your interest in our environmental review process and your request for the Medina County Environmental Action Association (MCEAA) to become a consulting party for the NHPA section 106 process. We have designated MCEAA as a section 106 consulting party for this proceeding and request that you provide us with the name and contact information for the individual who will act as the spokesperson for your organization throughout the section 106 process.

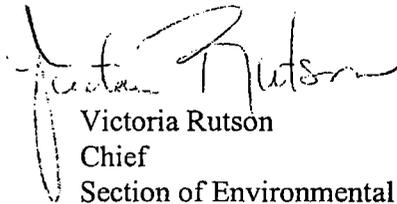
We encourage you to read the Advisory Council on Historic Preservation's regulations for implementing the section 106 process at 36 CFR Part 800. Pursuant to these regulations, although consulting parties participate throughout the section 106 process and work with all involved parties to try to resolve any issues, the concurrence of consulting parties in the final outcome of the section 106 process is not required. Furthermore, if a formal written agreement – such as a Memorandum of Agreement or a Programmatic Agreement – is prepared to mitigate any adverse effects, consulting parties are not necessarily invited to be signatories or concurring parties to the agreement.

If you have any information regarding historic and cultural resources that you would like to submit to us – I understand that your organization has prepared a map that identifies historic

resources in the area of the proposed rail construction – please feel free to do so. We welcome information from all sources throughout our environmental review process.

If you have additional questions about the section 106 process please do not hesitate to contact me or Rini Ghosh of my staff at (202) 565-1539.

Sincerely,

A handwritten signature in black ink, appearing to read "Victoria Rutson". The signature is fluid and cursive, with a large initial "V" and "R".

Victoria Rutson
Chief
Section of Environmental Analysis

cc: Pamela Opiela, Texas Historical Commission
Dr. Lynn Kitchen

#EO-26
RA

SURFACE TRANSPORTATION BOARD

Washington, DC 20423

Office of Economics, Environmental Analysis, and Administration

August 8, 2003

Robert Hancock
Chairman
Medina County Historical Commission
Medina County Courthouse
Hondo, TX 78861

**Re: STB Finance Docket No. 34284, Southwest Gulf Railroad Company –
Construction and Operation Exemption – Medina County, TX –
Invitation to be Consulting Party under section 106 of the National
Historic Preservation Act**

Dear Mr. Hancock:

As you know, the Surface Transportation Board's Section of Environmental Analysis (SEA) is conducting an environmental review of Southwest Gulf Railroad Company's proposed rail construction and operation in Medina County, Texas, pursuant to the National Environmental Policy Act and related environmental regulations, including the National Historic Preservation Act (NHPA).

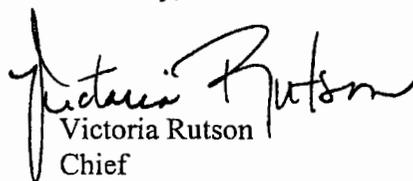
In consultation with Ms. Pamela Opiela of the Texas Historical Commission, we have identified your organization as a potential consulting party to the section 106 process of the NHPA and are writing to invite you to participate as a consulting party in the section 106 process. If you would like to be included as a consulting party, we request that you provide us with the name and contact information for the individual who will act as the spokesperson for your organization throughout the section 106 process.

Pursuant to the Advisory Council on Historic Preservation's regulations for implementing the section 106 process at 36 CFR Part 800, consulting parties participate throughout the section 106 process and work with all involved parties to try to resolve any issues. However, the concurrence of consulting parties in the final outcome of the section 106 process is not required.

If you have any information regarding historic and cultural resources that you would like to submit to us please feel free to do so. We welcome information from all sources throughout our environmental review process.

If you have additional questions about the section 106 process or the role of consulting parties in the process, please do not hesitate to contact me or Rini Ghosh of my staff at (202) 565-1539.

Sincerely,

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Victoria Rutson
Chief

Section of Environmental Analysis

cc: Pamela Opiela, Texas Historical Commission

#E0-27
RA

SURFACE TRANSPORTATION BOARD

Washington, DC 20423

Office of Economics, Environmental Analysis, and Administration

August 8, 2003

Mr. Donald Schoch
President
Schweers Historical Foundation
2405 IH-35 South, Suite 102
New Braunfels, TX 78130-8817

**Re: STB Finance Docket No. 34284, Southwest Gulf Railroad Company –
Construction and Operation Exemption – Medina County, TX –
Invitation to be Consulting Party under section 106 of the National
Historic Preservation Act**

Dear Mr. Schoch:

As you know, the Surface Transportation Board's Section of Environmental Analysis (SEA) is conducting an environmental review of Southwest Gulf Railroad Company's proposed rail construction and operation in Medina County, Texas, pursuant to the National Environmental Policy Act and related environmental regulations, including the National Historic Preservation Act (NHPA).

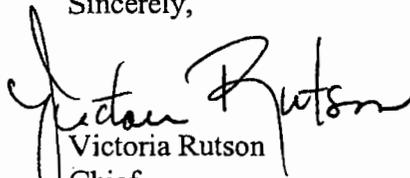
In consultation with Ms. Pamela Opiela of the Texas Historical Commission, we have identified your organization as a potential consulting party to the section 106 process of the NHPA and are writing to invite you to participate as a consulting party in the section 106 process. If you would like to be included as a consulting party, we request that you provide us with the name and contact information for the individual who will act as the spokesperson for your organization throughout the section 106 process.

Pursuant to the Advisory Council on Historic Preservation's regulations for implementing the section 106 process at 36 CFR Part 800, consulting parties participate throughout the section 106 process and work with all involved parties to try to resolve any issues. However, the concurrence of consulting parties in the final outcome of the section 106 process is not required.

If you have any information regarding historic and cultural resources that you would like to submit to us please feel free to do so. We welcome information from all sources throughout our environmental review process.

If you have additional questions about the section 106 process or the role of consulting parties in the process, please do not hesitate to contact me or Rini Ghosh of my staff at (202) 565-1539.

Sincerely,



Victoria Rutson
Chief

Section of Environmental Analysis

cc: Pamela Opiela, Texas Historical Commission

#EO-28
RJ

SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Office of Economics, Environmental Analysis, and Administration

August 8, 2003

Ms. Cynthia Lindsey
Quihi/New Fountain Historical Society
190 CR 4512
Hondo, TX 78861

**Re: STB Finance Docket No. 34284, Southwest Gulf Railroad Company –
Construction and Operation Exemption – Medina County, TX –
Invitation to be Consulting Party under section 106 of the National
Historic Preservation Act**

Dear Ms. Lindsey:

As you know, the Surface Transportation Board's Section of Environmental Analysis (SEA) is conducting an environmental review of Southwest Gulf Railroad Company's proposed rail construction and operation in Medina County, Texas, pursuant to the National Environmental Policy Act and related environmental regulations, including the National Historic Preservation Act (NHPA).

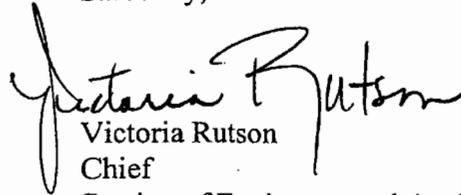
In consultation with Ms. Pamela Opiela of the Texas Historical Commission, we have identified your organization as a potential consulting party to the section 106 process of the NHPA and are writing to invite you to participate as a consulting party in the section 106 process. If you would like to be included as a consulting party, we request that you provide us with the name and contact information for the individual who will act as the spokesperson for your organization throughout the section 106 process.

Pursuant to the Advisory Council on Historic Preservation's regulations for implementing the section 106 process at 36 CFR Part 800, consulting parties participate throughout the section 106 process and work with all involved parties to try to resolve any issues. However, the concurrence of consulting parties in the final outcome of the section 106 process is not required.

If you have any information regarding historic and cultural resources that you would like to submit to us please feel free to do so. We welcome information from all sources throughout our environmental review process.

If you have additional questions about the section 106 process or the role of consulting parties in the process, please do not hesitate to contact me or Rini Ghosh of my staff at (202) 565-1539.

Sincerely,

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Victoria Rutson
Chief
Section of Environmental Analysis

cc: Pamela Opiela, Texas Historical Commission

SURFACE TRANSPORTATION BOARD
Washington, DC 20423

#EO-41
RCJ

Office of Economics, Environmental Analysis, and Administration

October 10, 2003

Richard Allen
Research Analyst
Cherokee Nation
P.O. Box 948
Tahlequah, OK 74465

Re: STB Finance Docket 34284, Southwest Gulf Railroad Company –
Construction and Operation Exemption – Medina County, TX

Dear Mr. Allen:

The Surface Transportation Board's Section of Environmental Analysis (SEA) is conducting an environmental review of Southwest Gulf Railroad Company's (SGR) proposed rail construction and operation in Medina County, Texas, pursuant to the National Environmental Policy Act and related environmental regulations, including the National Historic Preservation Act (NHPA).

Enclosed for your review please find a copy of the Preliminary Cultural Resources Assessment report for the proposed rail construction and operation in Medina County, Texas. Copies of this report are also being sent to the Texas Historical Commission, the Comanche Nation, the Kickapoo Tribe, and the consulting parties for this proceeding (the Medina County Environmental Action Association, the Medina County Historical Commission, the Quihi and New Fountain Historical Society, the Schweer's Historical Foundation, and SGR).

The report sets forth the SEA's preliminary findings and recommendations based on SEA's studies to date. Chapter 1 briefly describes the proposed action and alternatives. Chapter 2 contains a cultural context overview of the proposed project area by providing a summary of the prehistory and history of Medina County and a brief discussion of known and potential historic resources located in the areas of potential effects. Chapter 3 discusses the results of SEA's initial studies, and includes SEA's opinion of the project's potential effects on historic properties and preliminary recommendations for treatment and/or mitigation.

Pursuant to section 106 of the NHPA, SEA is submitting this report for your review and comment. We request your written comments on this report by **November 10, 2003**. Please reference Finance Docket 34284 in all correspondence regarding this proceeding. Comments should be sent to:

Rini Ghosh
Surface Transportation Board
Section of Environmental Analysis
1925 K Street, Suite 500
Washington, DC 20423-0001

I look forward to working with you to ensure proper completion of the section 106 process for this proceeding. If you have questions regarding this report or require further information, please do not hesitate to contact me or Rini Ghosh of my staff at (202) 565-1539.

Sincerely,

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Victoria Rutson
Chief
Section of Environmental Analysis

Enclosure

SURFACE TRANSPORTATION BOARD

Washington, DC 20423

Office of Economics, Environmental Analysis, and Administration

October 10, 2003

Mr. Jim Arterberry
c/o Comanche Nation
P.O. Box 908
Lawton, OK 73502

Re: STB Finance Docket 34284, Southwest Gulf Railroad Company –
Construction and Operation Exemption – Medina County, TX

Dear Mr. Arterberry:

The Surface Transportation Board's Section of Environmental Analysis (SEA) is conducting an environmental review of Southwest Gulf Railroad Company's (SGR) proposed rail construction and operation in Medina County, Texas, pursuant to the National Environmental Policy Act and related environmental regulations, including the National Historic Preservation Act (NHPA).

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Surface Transportation Board
Section of Environmental Analysis
1925 K Street, Suite 500
Washington, DC 20423-0001

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Victoria Rutson
Chief
Section of Environmental Analysis

Enclosure

SURFACE TRANSPORTATION BOARD

Washington, DC 20423

Office of Economics, Environmental Analysis, and Administration

October 10, 2003

Kickapoo Traditional Tribe of Texas
HC 1
Box 9700
Eagle Pass, TX 78852

Re: STB Finance Docket 34284, Southwest Gulf Railroad Company –
Construction and Operation Exemption – Medina County, TX

Dear Tribal Representative:

The Surface Transportation Board's Section of Environmental Analysis (SEA) is conducting an environmental review of Southwest Gulf Railroad Company's (SGR) proposed rail construction and operation in Medina County, Texas, pursuant to the National Environmental Policy Act and related environmental regulations, including the National Historic Preservation Act (NHPA).

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Section of Environmental Analysis
1925 K Street, Suite 500
Washington, DC 20423-0001

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Victoria Rutson
Chief
Section of Environmental Analysis

Enclosure

SURFACE TRANSPORTATION BOARD

Washington, DC 20423

Office of Economics, Environmental Analysis, and Administration

October 10, 2003

Dr. Robert Fitzgerald
President
Medina County Environmental Action Association
202 CR 450
Hondo, TX 78861

Re: STB Finance Docket 34284, Southwest Gulf Railroad Company –
Construction and Operation Exemption – Medina County, TX

Dear Dr. Fitzgerald:

As you know, the Surface Transportation Board's Section of Environmental Analysis (SEA) is conducting an environmental review of Southwest Gulf Railroad Company's proposed rail construction and operation in Medina County, Texas, pursuant to the National Environmental Policy Act and related environmental regulations, including the National Historic Preservation Act (NHPA). By letter dated July 21, 2003, we designated your organization as a consulting party to the section 106 process of NHPA.

Enclosed for your review please find a copy of the Preliminary Cultural Resources Assessment report for the proposed rail construction and operation. The report sets forth the SEA's preliminary findings and recommendations based on SEA's studies to date. Chapter 1 briefly describes the proposed action and alternatives. Chapter 2 contains a cultural context overview of the proposed project area by providing a summary of the prehistory and history of Medina County and a brief discussion of known and potential historic resources located in the areas of potential effects. Chapter 3 discusses the results of SEA's initial studies, and includes SEA's opinion of the project's potential effects on historic properties and preliminary recommendations for treatment and/or mitigation.

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Rini Ghosh
Surface Transportation Board
Section of Environmental Analysis
1925 K Street, Suite 500
Washington, DC 20423-0001

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Victoria Rutson
Chief
Section of Environmental Analysis

Enclosure

cc: Dr. Lynn Kitchen

SURFACE TRANSPORTATION BOARD

Washington, DC 20423

Office of Economics, Environmental Analysis, and Administration

October 10, 2003

Mr. Robert Hancock
Chairman
Medina County Historical Commission
Medina County Courthouse
Hondo, TX 78861

Re: STB Finance Docket 34284, Southwest Gulf Railroad Company –
Construction and Operation Exemption – Medina County, TX

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Rini Ghosh
Surface Transportation Board
Section of Environmental Analysis
1925 K Street, Suite 500
Washington, DC 20423-0001

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Victoria Rutson
Chief
Section of Environmental Analysis

Enclosure

SURFACE TRANSPORTATION BOARD

Washington, DC 20423

Office of Economics, Environmental Analysis, and Administration

October 10, 2003

Mrs. Cynthia Lindsey
Quihi & New Fountain Historical Society
P.O. Box 93
190 CR 4512
Hondo, TX 78861

Re: STB Finance Docket 34284, Southwest Gulf Railroad Company –
Construction and Operation Exemption – Medina County, TX

Dear Mrs. Lindsey:

As you know, the Surface Transportation Board's Section of Environmental Analysis (SEA) is conducting an environmental review of Southwest Gulf Railroad Company's proposed rail construction and operation in Medina County, Texas, pursuant to the National Environmental Policy Act and related environmental regulations, including the National Historic Preservation Act (NHPA). By letter dated August 20, 2003, you accepted our invitation to be a consulting party to the section 106 process of NHPA.

Enclosed for your review please find a copy of the Preliminary Cultural Resources Assessment report for the proposed rail construction and operation. The report sets forth the SEA's preliminary findings and recommendations based on SEA's studies to date. Chapter 1 briefly describes the proposed action and alternatives. Chapter 2 contains a cultural context overview of the proposed project area by providing a summary of the prehistory and history of Medina County and a brief discussion of known and potential historic resources located in the areas of potential effects. Chapter 3 discusses the results of SEA's initial studies, and includes SEA's opinion of the project's potential effects on historic properties and preliminary recommendations for treatment and/or mitigation.

Pursuant to section 106 of the NHPA, SEA is submitting this report for your review and comment. We request your written comments on this report by **November 10, 2003**. Please reference Finance Docket 34284 in all correspondence regarding this proceeding. Comments should be sent to:

Rini Ghosh
Surface Transportation Board
Section of Environmental Analysis
1925 K Street, Suite 500
Washington, DC 20423-0001

If you have questions regarding this report or require further information, please do not hesitate to contact me or Rini Ghosh of my staff at (202) 565-1539.

Sincerely,

A handwritten signature in black ink, appearing to read "Victoria Rutson". The signature is written in a cursive style with a large initial "V".

Victoria Rutson
Chief
Section of Environmental Analysis

Enclosure

SURFACE TRANSPORTATION BOARD

Washington, DC 20423

Office of Economics, Environmental Analysis, and Administration

October 10, 2003

Mr. Donald Schoch
President
Schweers Historical Foundation
2405 IH-35 South, Suite 102
New Braunfels, TX 78130-8817

Re: STB Finance Docket 34284, Southwest Gulf Railroad Company –
Construction and Operation Exemption – Medina County, TX

Dear Mr. Schoch:

As you know, the Surface Transportation Board's Section of Environmental Analysis (SEA) is conducting an environmental review of Southwest Gulf Railroad Company's proposed rail construction and operation in Medina County, Texas, pursuant to the National Environmental Policy Act and related environmental regulations, including the National Historic Preservation Act (NHPA). By letter dated August 8, 2003, we invited you to participate as a consulting party to the section 106 process of NHPA.

Enclosed for your review please find a copy of the Preliminary Cultural Resources Assessment report for the proposed rail construction and operation. The report sets forth the SEA's preliminary findings and recommendations based on SEA's studies to date. Chapter 1 briefly describes the proposed action and alternatives. Chapter 2 contains a cultural context overview of the proposed project area by providing a summary of the prehistory and history of Medina County and a brief discussion of known and potential historic resources located in the areas of potential effects. Chapter 3 discusses the results of SEA's initial studies, and includes SEA's opinion of the project's potential effects on historic properties and preliminary recommendations for treatment and/or mitigation.

Pursuant to section 106 of the NHPA, SEA is submitting this report for your review and comment. We request your written comments on this report by **November 10, 2003**. Please reference Finance Docket 34284 in all correspondence regarding this proceeding. Comments should be sent to:

Rini Ghosh
Surface Transportation Board
Section of Environmental Analysis
1925 K Street, Suite 500
Washington, DC 20423-0001

If you have questions regarding this report or require further information, please do not hesitate to contact me or Rini Ghosh of my staff at (202) 565-1539.

Sincerely,

A handwritten signature in black ink, appearing to read "Victoria Rutson". The signature is fluid and cursive, with a prominent initial "V" and "R".

Victoria Rutson
Chief
Section of Environmental Analysis

Enclosure

SURFACE TRANSPORTATION BOARD

Washington, DC 20423

Office of Economics, Environmental Analysis, and Administration

October 10, 2003

Mr. David Coburn
Steptoe & Johnson, LLP
1330 Connecticut Avenue, NW
Washington, DC 20036-1795

Re: STB Finance Docket 34284, Southwest Gulf Railroad Company –
Construction and Operation Exemption – Medina County, TX

Dear Mr. Coburn:

As you know, the Surface Transportation Board's Section of Environmental Analysis (SEA) is conducting an environmental review of Southwest Gulf Railroad Company's (SGR) proposed rail construction and operation in Medina County, Texas, pursuant to the National Environmental Policy Act and related environmental regulations, including the National Historic Preservation Act (NHPA). Pursuant to the Advisory Council on Historic Preservation's regulations for implementing the section 106 process of NHPA, we have identified SGR as a consulting party to the section 106 process.

Enclosed for your review please find two copies of the Preliminary Cultural Resources Assessment report for the proposed rail construction and operation. The report sets forth the SEA's preliminary findings and recommendations based on SEA's studies to date. Chapter 1 briefly describes the proposed action and alternatives. Chapter 2 contains a cultural context overview of the proposed project area by providing a summary of the prehistory and history of Medina County and a brief discussion of known and potential historic resources located in the areas of potential effects. Chapter 3 discusses the results of SEA's initial studies, and includes SEA's opinion of the project's potential effects on historic properties and preliminary recommendations for treatment and/or mitigation.

Pursuant to section 106 of the NHPA, SEA is submitting this report for your review and comment. We request your written comments on this report by **November 10, 2003**. Please reference Finance Docket 34284 in all correspondence regarding this proceeding. Comments should be sent to:

Rini Ghosh
Surface Transportation Board
Section of Environmental Analysis
1925 K Street, Suite 500
Washington, DC 20423-0001

If you have questions regarding this report or require further information, please do not hesitate to contact me or Rini Ghosh of my staff at (202) 565-1539.

Sincerely,

A handwritten signature in black ink, appearing to read "Victoria Rutson". The signature is fluid and cursive, with a prominent initial "V".

Victoria Rutson
Chief
Section of Environmental Analysis

Enclosures

SURFACE TRANSPORTATION BOARD

Washington, DC 20423

Office of Economics, Environmental Analysis, and Administration

October 10, 2003

Ms. Pam Opiela
Project Reviewer
Texas Historical Commission
P.O. Box 12276
Austin, TX 78711-2276

Re: STB Finance Docket 34284, Southwest Gulf Railroad Company –
Construction and Operation Exemption – Medina County, TX

Dear Ms. Opiela:

Enclosed for your review please find two copies of the Preliminary Cultural Resources Assessment report for the proposed rail construction and operation in Medina County, Texas. Copies of this report are also being sent to the Cherokee Nation, the Comanche Nation, the Kickapoo Tribe, and the consulting parties for this proceeding (the Medina County Environmental Action Association, the Medina County Historical Commission, the Quihi and New Fountain Historical Society, the Schweer's Historical Foundation, and Southwest Gulf Railroad Company).

The report sets forth the Section of Environmental Analysis's (SEA) preliminary findings and recommendations based on SEA's studies to date. Chapter 1 briefly describes the proposed action and alternatives. Chapter 2 contains a cultural context overview of the proposed project area by providing a summary of the prehistory and history of Medina County and a brief discussion of known and potential historic resources located in the areas of potential effects. Chapter 3 discusses the results of SEA's initial studies, and includes SEA's opinion of the project's potential effects on historic properties and preliminary recommendations for treatment and/or mitigation.

Pursuant to section 106 of the National Historic Preservation Act, SEA is submitting this report for your review and comment. We request your written comments on this report by **November 10, 2003**. Please reference Finance Docket 34284 in all correspondence regarding this proceeding. Comments should be sent to:

Rini Ghosh
Surface Transportation Board
Section of Environmental Analysis
1925 K Street, Suite 500
Washington, DC 20423-0001

I look forward to working with you to ensure proper completion of the section 106 process for this proceeding. If you have questions regarding this report or require further information, please do not hesitate to contact me or Rini Ghosh of my staff at (202) 565-1539.

Sincerely,

A handwritten signature in black ink, appearing to read "Victoria Rutson". The signature is fluid and cursive, with a large initial "V" and a long, sweeping underline.

Victoria Rutson
Chief
Section of Environmental Analysis

Enclosures

#EO-43
RJ

SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Office of Economics, Environmental Analysis, and Administration

November 14, 2003

Mr. Gabriel Lozano
Office of Congressman Henry Bonilla
11120 Wurzbach
Suite 300
San Antonio, TX 78230

Re: STB Finance Docket No. 34284 – Southwest Gulf Railroad Company –
Construction and Operation Exemption – Medina County, TX

Dear Mr. Lozano: ‘

As you know, the Surface Transportation Board’s Section of Environmental Analysis (SEA) is conducting an environmental review of Southwest Gulf Railroad Company’s (SGR) proposed rail construction and operation in Medina County, Texas, pursuant to the National Environmental Policy Act and related environmental regulations, including the National Historic Preservation Act, 16 U.S.C. 470f (NHPA).

Thank you for expressing interest in participating as a consulting party to the section 106 process of NHPA. We are pleased to add your office to the list of official section 106 consulting parties and will make sure that you receive all subsequent correspondence regarding the section 106 process for this proceeding.

I have enclosed a copy of SEA’s Preliminary Cultural Resources Assessment report for your review. After consulting with the Texas Historical Commission (THC) and identifying appropriate consulting parties to the section 106 process of NHPA, SEA issued this report to the identified consulting parties for review and comment. Some of these parties had indicated that they had information about cultural or historic properties in the area of the proposed project, and we believed that preparing and providing the consulting parties with the report would ensure their participation and input from the outset of the section 106 process, as well as provide us with the opportunity to gather additional information from knowledgeable sources. As stated on page 3 of the report, the report is intended to serve as a starting point for the section 106 consultation for SGR’s proposed project.

The report sets forth the SEA’s preliminary findings and recommendations based on SEA’s studies to date. Chapter 1 briefly describes the proposed action and alternatives. Chapter 2 contains a cultural context overview of the proposed project area by providing a summary of the prehistory and history of Medina County and a brief discussion of known and potential

historic resources located in the areas of potential effects. Chapter 3 discusses the results of SEA's initial studies, and includes SEA's opinion of the project's potential effects on historic properties and preliminary recommendations for treatment and/or mitigation.

I have also enclosed copies of the cover letters transmitting the report to the identified consulting parties, as well as the results of a vibration study and the cover letters transmitting the vibration study to the consulting parties. In response to these mailings, SEA has received eight comment letters to date, including a letter from THC. These comment letters will be made available to the public on our website in the near future.¹ The comment letters identify additional parties that should be included as official section 106 consulting parties; if you know of other potential consulting parties, please let us know.

SEA is currently working on preparing an Environmental Assessment (EA) document for SGR's proposed project. The EA will contain more detailed information regarding SGR's proposed project as well as the results of SEA's preliminary environmental review of the proposed project and potential environmental impacts. This document will include the Preliminary Cultural Resources Assessment report, comments received regarding the report, and any additional information regarding cultural and historic resources or the section 106 process for this proceeding. A press release will be issued to announce the availability of the EA.

We look forward to working with you throughout the environmental review process and the section 106 process for this proceeding and to receiving comments from you and your office. If you have any questions regarding the enclosed information, the section 106 process, or the environmental review process, please do not hesitate to contact me or Rini Ghosh of my staff at (202) 565-1539.

Sincerely yours,

Victoria Rutson
Chief
Section of Environmental Analysis

Enclosures

¹ To access these documents via the internet, please go to www.stb.dot.gov, select "Environmental Issues," and then select "Environmental Correspondence."

#EO-74
RQ

SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Office of Economics, Environmental Analysis, and Administration

March 22, 2004

Dr. Robert Fitzgerald
202 CR 450
Hondo, TX 78861

**Re: STB Finance Docket No. 34284, Southwest Gulf Railroad Company –
Construction and Operation Exemption – Medina County, TX –
Request to be Consulting Party under Section 106 of the National
Historic Preservation Act**

Dear Dr. Fitzgerald:

Thank you for your letter dated February 20, 2004 (received March 18, 2004) in which you request to participate as a consulting party in the National Historic Preservation Act (NHPA) section 106 process. As you know, the Surface Transportation Board's Section of Environmental Analysis is conducting an environmental review of Southwest Gulf Railroad Company's proposed rail construction and operation in Medina County, Texas, pursuant to the National Environmental Policy Act and related environmental regulations, including NHPA.

We appreciate your interest in our environmental review process and your request to become a consulting party in the NHPA section 106 process. We are pleased to include you in your capacity as a private landowner as a section 106 consulting party for this proceeding and will make sure that you receive all information regarding the ongoing section 106 process. Since you are also the designated section 106 representative for the Medina County Environmental Action Association (MCEAA), which has been a section 106 consulting party in this proceeding since July 21, 2003, we will address future correspondence to you regarding the section 106 process as follows:

Dr. Robert Fitzgerald
Private Landowner/
President, MCEAA
202 CR 450
Hondo, TX 78861

If you have additional questions, please do not hesitate to contact me at (202) 565-1539.

Sincerely,

A handwritten signature in cursive script that reads "Rini Ghosh".

Rini Ghosh
Section of Environmental Analysis

cc: Bill Martin, Texas Historical Commission
Pamela Opiela, Texas Historical Commission

#EO-76
R91

SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Office of Economics, Environmental Analysis, and Administration

April 2, 2004

Mr. Archie Gerdes
450 CR 351
Hondo, Texas 78861

**Re: STB Finance Docket No. 34284, Southwest Gulf Railroad Company –
Construction and Operation Exemption – Medina County, TX –
Request to be Consulting Party under Section 106 of the National
Historic Preservation Act**

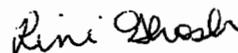
Dear Mr. Gerdes:

Thank you for your letter in which you request to participate as a consulting party in the National Historic Preservation Act (NHPA) section 106 process. As you know, the Surface Transportation Board's Section of Environmental Analysis is conducting an environmental review of Southwest Gulf Railroad Company's proposed rail construction and operation in Medina County, Texas, pursuant to the National Environmental Policy Act and related environmental regulations, including NHPA.

We appreciate your interest in our environmental review process and your request to become a consulting party in the NHPA section 106 process. We are pleased to include you in your capacity as a private landowner as a section 106 consulting party for this proceeding and will make sure that you receive all information regarding the ongoing section 106 process.

If you have additional questions, please do not hesitate to contact me at (202) 565-1539.

Sincerely,



Rini Ghosh
Section of Environmental Analysis

cc: Bill Martin, Texas Historical Commission
Pamela Opiela, Texas Historical Commission

-Sections of this e-mail thread have been redacted per. Dr. Thomas Hester's request

**Correspondence between Catherine Glidden of the Surface Transportation Board, and
Dr. Thomas Hester.**

Cathy: I have heard about the historic Indian "burial ground," but what I've heard doesn't make sense. I haven't had time to check into it. I'm not a paid consultant for MCEA or anybody else; I share the MCEA view that an EIS needs to be done, etc.

You can quote me as you wish, [REDACTED]

Tom

Dr. Hester:

>
> Thanks for the information about the "mounds." They were brought to our
> attention by The Medina County Environmental Action Association, Inc. I
> guess these middens must be quite high.....
>
> I had not heard mention of the sinkhole, but we have received information
> about the presence of a possible historic era Indian burial ground on the
> "Schorobiny" tract. Do you have more precise information about the
> location of the sinkhole or know of anyone that can provide such
> information?
>
> We have developed an extensive list of tribes including all the ones you
> mention. The tribes that Nancy recommended we contact are all federally
> recognized, but we are also involving the Lipan Apache of Texas, Inc. with
> an address in San Antonio (although I could not confirm their address or
> their phone number...no answer) and the Tap Pilam Coahuiltecan Nation
> from whom we have already heard. Even though these tribes have no federal
> recognition, we believe they should be included given their ancestral
> association to the area. We will be consulting with them as "interested
> parties."
>
> Do you mind if I include the details of any of this correspondence in any
> of our reports? The information will be helpful in more fully assessing
> the cultural resources within the project area at this stage of our
> environmental review.
>
> Thanks again for your assistance!
>
> -Cathy
>
>
> "Thomas R. Hester" <secocreek@rionet.coop>

-Sections of this e-mail thread have been redacted per. Dr. Thomas Hester's request

Correspondence between Catherine Glidden of the Surface Transportation Board, and
Dr. Thomas Hester.

>
> 03/16/2004 06:07 PM
> Please respond to
> secocreek@ricc.net
>
>
> To
> Catherine.Glidden@stb.dot.gov
> cc
>
> Subject
> Re: Notes on Archaeology of Medina County
>
>
> Cathy:
>
> If there are "Indian mounds" at the north end of the Vulcan project, they
> would have to be "burned rock middens." These are found throughout the
> Edwards Plateau and on the fringes of the Escarpment. For example, by the
> time one goes as far south as Quihi, such features drop out. I've never
> looked at sites in the north area of the project, though people keep
> telling me of a sinkhole in the Quarry Area. [REDACTED]
[REDACTED]
[REDACTED]
> But they show up when
> burials are found, and the sinkholes are the "cemeteries" of this part of
> Texas.
>
> [REDACTED]
[REDACTED]
[REDACTED]
>
> Tom
>
>
>
>> Dr. Hester:
>>
>> Thanks for the information about potential surveys in the area. I would
>> imagine that little work has been done there due to the sheer remoteness
>> of the area.
>> I have been in contact with Nancy Kenmotsu regarding tribal contacts in
>> the area, but will check with her on site locations as well. Thanks for
>> the suggestion. What do you know about the "Indian Mounds" located at the
>> north end of the project area? Have you seen these?
>>

-Sections of this e-mail thread have been redacted per. Dr. Thomas Hester's request

**Correspondence between Catherine Glidden of the Surface Transportation Board, and
Dr. Thomas Hester.**

>> Best Regards,
>>
>> Cathy Glidden
>>
>>
>>
>> "Thomas R. Hester" <secocreek@rionet.coop>
>> 03/16/2004 03:30 PM
>> Please respond to
>> secocreek@ricc.net
>>
>>
>> To
>> Catherine.Glidden@stb.dot.gov
>> cc
>>
>> Subject
>> Re: Notes on Archaeology of Medina County
>>
>>
>>
>> Cathy:
>>
>> I am sure there have been cultural resource surveys in Medina County,
> but they are hard to track in the "gray literature" -- or more commonly, the
>> letter-reports that some appear as. TXDOT has surely done such surveys
> in Medina County; the only one I personally know of was a small survey that
>> recorded one site in northern Medina County. You ought to contact Dr.
>> Nancy Kenmotsu, Supervisor of the Archaeology Program, at TXDOT. You
> can probably get her email off the TXDOT website...I'll also look and see if
> I have it and forward it to you.
>>
>> Though I spent 30 years running archaeology programs in the UT System,
>> and have worked with many federal agencies, I've never had a project
> that went through STB. How does your background research relate to the
>> consulting archaeologist(s) hired by Vulcan for the EIS? Just curious!
>>
>> Best regards,
>>
>> Tom
>>
>> Dr. Hester:
>>>
>>> Thanks for this information. I was able to find your paper on-line and
>>> will include this in our prehistoric analysis for the project area.
>>>
>>> Are you aware of any cultural resources assessments that have been
>>> conducted in the county and that are available to the public? Also,
> have you published recently regarding the field work you have completed in
>> the county?
>>>
>>> Best regards,

-Sections of this e-mail thread have been redacted per. Dr. Thomas Hester's request

**Correspondence between Catherine Glidden of the Surface Transportation Board, and
Dr. Thomas Hester.**

```
>>> Cathy Glidden
>>>
>>>
>>> "Thomas R. Hester" <secocreek@rionet.coop>
>>> 03/15/2004 11:51 AM
>>> Please respond to
>>> secocreek@ricc.net
>>>
>>>
>>> To
>>> Catherine.Glidden@stb.dot.gov
>>> cc
>>>
>>> Subject
>>> Re: Notes on Archaeology of Medina County
>>>
>>>>> Dear Cathernine:
>>>
>>> As your review continues, have you come across any references, as in my
>>> letter, that you need to see? Some are in regional journals that may
>> be difficult for you to access.
>>>
>>> There is an overview paper of mine, "Early Human Populations Along the
>>> Balcones Escarpment," published in THE BALCONES ESCARPMENT, ed. by
>> Patrick L. Abbott and C. M. Woodruff, Jr., Geological Society of
>>> America. 1986. I think this may be available on-line. Indicative of the
>>> situation in Medina County is the fact that the 1986 paper has the
>>> county as a "blank" in terms of the occurrence of sites. Research since
>>> then, though akimpy, has shown that is not the case!
>>>
>>> Best regards,
>>>
>>> Tom Hester
>>>
>>>
>>> Dear Dr. Hester:
>>>>>
>>>>> Thank you for your quick response to my query!. I am in the process
>> of looking over comments to the "Preliminary Cultural Resources
>>> Assessment" for the Southwest Gulf Railroad Company project: STB Finance
>>> Docket 34284 and came across your article on-line.
>>>>>
>>>>> I have a copy of your letter to the Surface Transportation Board dated
>>>>> November 6, 2003 with your comments to the report. We greatly
>>> appreciate your detailed summary of the area's prehistory and are
>>>>> actively addressing your comments. Does this letter provide a better
>>>>> summary of the
>>>>> prehistoric resources in the region than the article in reference? If
>>>>> not, do you have any other recent references or articles about the
>>>>> prehistory of Medina County that you would like to share? Given that
>>>>> > so
>>>>> little work has been done in the area, this summary would be useful to
```

-Sections of this e-mail thread have been redacted per. Dr. Thomas Hester's request

Correspondence between Catherine Glidden of the Surface Transportation Board, and
Dr. Thomas Hester.

>>>> include in our updates.
>>>>
>>>> Best Regards,
>>>>
>>>> Cathy Glidden
>>>> Environmental Protection Specialist
>>>> Surface Transportation Board
>>>> 1925 K St., NW
>>>> Washington, DC 20423
>>>> (202) 565-1542
>>>>
>>>>
>>>>>>>
>>>> "Thomas R. Hester" <secocreek@rionet.coop>
>>>> 03/08/2004 01:46 PM
>>>> Please respond to
>>>> secocreek@ricc.net
>>>>
>>>>
>>>> To
>>>> Catherine.Glidden@stb.dot.gov
>>>> cc
>>>>
>>>> Subject
>>>> Re: Notes on Archaeology of Medina County
>>>>
>>>>>>>
>>>> Dear Ms. Glidden: That little article was written for the Hondo
>>>> Anvil-Herald in 2000, published to help with a local outreach program.
>> It is awfully sketchy and incomplete...and by 2004, now very much out of
>> date. Just my work at the two sites in the Quihi area would be enough to
>> throw out much of it!
>>>>
>>>> I filed a detailed letter, with references, etc., on the first round
> of comments on the SGR FD application. If I can help you track down any
>> of those, please don't hesitate to let me know.
>>>>
>>>> Best regards,
>>>>
>>>> Tom Hester
>>>>
>>>>
>>>> Professor of Anthropology, emeritus
>>>> The University of Texas at Austin
>>>>
>>>> PO Box 625
>>>> Utopia, TX 78884
>>>> 830-966-3626
>>>>
>>>>>>>
>>>>
>>>>> Hi Cathy,

-Sections of this e-mail thread have been redacted per. Dr. Thomas Hester's request

**Correspondence between Catherine Glidden of the Surface Transportation Board, and
Dr. Thomas Hester.**

>>>>> I've forwarded your email to Dr. Hester--- I'm sure he'll reply to
>>>>> you....
>>>>> Bob
>>>>>
>>>>> Catherine.Glidden@stb.dot.gov wrote:
>>>>>
>>>>>>
>>>>>> Hello,
>>>>>>
>>>>>>> I would like to reference the paper submitted by Dr. Hester
> entitled, "Notes on the Archeology of Medina County." Would you kindly
let me know what date I should list when referencing this citation?
>>>>>>>
>>>>>>> Thanks,
>>>>>>> Cathy Glidden
>>>>>>>

Appendix I-2.1

Summary of Comments and Responses

**Summary of Cultural Resources Comments
From Preliminary Cultural Resources Assessment ¹**

Comment(s) by	Comment(s)	Section of Environmental Analysis (SEA) Response
Schweers Historical Foundation	<p>The Henry Schweers House was constructed in 1858.</p> <p>The Williams Schweers home was built in 1874, not 1884.</p> <p>The Schweers/Balzen Cemetery was deeded to descendants of William M. Schweers (1843-1913) in 1950. The deed (No. 6217, Vol. 147) is recorded in the Medina County Court House.</p>	Informational changes noted and updated in the Draft EIS.
Texas Historical Commission	<p>Perform a thorough survey of all historic properties over 45 years old within the project area.</p> <p>Perform a thorough survey of archeological sites within the project area.</p> <p>Need addresses and dates of construction of each structure.</p> <p>Need clear photographic documentation.</p> <p>Need more specific location maps.</p>	<p>Additional identification and National Register eligibility determinations of historic properties will be completed as stipulated in the programmatic agreement. This will include additional photo documentation and more specific information about each structure.</p> <p>Changes to the location maps have been made in the Draft EIS where appropriate.</p>

¹ This table addresses the substantive cultural resources comments received on the report.

Comment(s) by	Comment(s)	Section of Environmental Analysis (SEA) Response
Texas Historical Commission	<p>Mexico gained its independence from Spain in 1821, not in 1812.</p> <p>The Civil War took place from 1861 to 1865, so settlers arriving after the Civil War would not be building distinctive homes by the 1850s.</p>	Informational changes noted and corrected in the Draft EIS and where appropriate.
Texas Historical Commission	The following tribes need to be contacted: Tonkawa, the Apaches, the Wichita, and the Kiowa.	A more extensive list of tribal contacts has been developed that includes 16 Federally recognized tribes and one non-Federally recognized state tribe including those mentioned (see complete list in Appendix I-1.2). In addition, the programmatic agreement will be distributed to all tribal contacts for their input along with the Draft EIS.
Thomas Hester, Ph.D.	The report missed a few archaeological sites: 41ME34 (12 miles to the west/southwest), 41ME29 (20 miles to the east/northeast), 41UV2 (30 miles to the west), Scorpion Cave (8-10 miles away), 41ME30 (20 miles west), 41ME53 (2 miles SE of Quihi), 41ME132 (beneath alternative 3), 41ME133 (1.5 miles east of the routes).	Sites within close proximity to the project area have been summarized in the Draft EIS.
Thomas Hester, Ph.D.	The Quihi and New Fountain Historical Society has already identified more than 30 historical sites within the project area, though more than 60 are known.	Subsequent surveys will include any additional input provided by consulting or interested parties, the public and others as the project progresses and as stipulated in the programmatic agreement.

Comment(s) by	Comment(s)	Section of Environmental Analysis (SEA) Response
Thomas Hester, Ph.D. and the Medina County Environmental Action Association, Inc.	Report omitted references to the Gerdes Ranch, listed in the Texas Family Land Heritage Program. This ranch was registered in 1986. The proposed rail line would cut this ranch in half.	The Texas Family Land Heritage Program is specifically designed to address the continuous family ownership of farms within the state of Texas. The Program is not designed to act as a “register” of historic properties, but of prime farmland that has been in continuous use for a set number of years. Any adverse effects to National Register historic properties that may result from the proposed project within the approved alternative will be addressed in the programmatic agreement.
Thomas Hester, Ph.D.	There are stories of a potential Native American Indian cemetery in the area.	This site was field-checked by SEA in June 2004 (see Appendix I-4). SEA is also consulting with tribes to identify sites that may have traditional religious and cultural significance to them.
Thomas Hester, Ph.D.	The report did not make reference to other work that was conducted in the project area.	The Draft EIS contains a summary of previous work conducted in the project area. Future surveys will further assess the potential for historic properties in the project area as outlined in the programmatic agreement.
Adams Environmental Inc.	Improve figures to be able to better compare impacts.	Comment noted and incorporated into the Draft EIS.
Adams Environmental Inc.	There is a perennial supply of water in the area. Include discussion on stream crossings.	Comments noted and incorporated into the Draft EIS.
Adams Environmental Inc.	Nineteenth and 20 th century structures should be given equal weight when evaluating potential impacts.	Agreed. Both 19 th and 20 th century structures have been evaluated in the Draft EIS.

Comment(s) by	Comment(s)	Section of Environmental Analysis (SEA) Response
Adams Environmental Inc.	This report did not address archaeological or paleontological studies. Shovel tests and trench tests should be performed.	Shovel and trench tests are inherently destructive. Looting is also a big problem in Texas and any activities that may bring attention to archaeological sites should be limited, if possible. As such, it is more prudent to postpone destructive field surveys until the APE(s) is identified and further refined within the approved corridor. The details of future cultural resources investigations are outlined in the programmatic agreement.
Adams Environmental Inc.	Need to assess indirect impacts to historical properties from increased commercial and industrial development in the region. Need to assess visual aesthetics.	Additional analysis concerning these issues will be addressed in future surveys as outlined in the programmatic agreement.
Adams Environmental Inc.	Citizens in the area have discovered several Indian sites. Medina County Environmental Action Association has provided maps.	Agency input from local citizens, tribes and consulting parties will be included in future identification efforts for the APE(s) within the approved corridor.
Adams Environmental Inc.	Quihi Creek has a high potential for archaeological and paleontological features.	Information noted and included in the Draft EIS.
Adams Environmental Inc.; Quihi and New Fountain Historical Society; Medina County Environmental Action Association, Inc	Evaluate danger of flooding of historic structures.	The evaluation of potential flooding impacts on historic properties will be addressed in future studies for the approved corridor as outlined in the programmatic agreement.
Quihi and New Fountain Historical Society.	Families that live in the area were not contacted.	SEA contacted families in the area. Additional input from local citizens, tribes and consulting parties will be included in future identification efforts within the APE for the approved corridor as stipulated in the programmatic agreement.

Comment(s) by	Comment(s)	Section of Environmental Analysis (SEA) Response
Quihi and New Fountain Historical Society	The Society has identified 60 historical sites in the project area. The report only identifies sixteen properties.	Future identification efforts will be completed for the approved corridor as stipulated in the programmatic agreement. Identification efforts completed to date are summarized in the Draft EIS.
Quihi and New Fountain Historical Society	The location of the Schuele-Saathoff House is wrong.	Information noted and corrected in updated maps within the Draft EIS and Technical Memorandum.
Quihi and New Fountain Historical Society	The "Hiyo Schweers" home was not identified.	Information noted and included in the Draft EIS.
The Medina County Environmental Action Association, Inc.	The report states that there was an "unlikelihood of artifacts being found in the Quihi Creek region because there is no year-round source of water." This statement is wrong. There has always been a source of water.	These comments have been incorporated into the Draft EIS.
The Medina County Environmental Action Association, Inc.	Report omitted Schorobiny tract (home and family cemetery) and information on Indian burial. Alternative 1 goes through this tract.	The location of the Schorobiny tract and Indian burial area has been included in the Draft EIS.
The Medina County Environmental Action Association, Inc.	Report omitted Indian mounds in the rail loop portion of the quarry.	The Draft EIS includes this report. Actual identification efforts of these purported features will be completed as stipulated in the programmatic agreement.
Tap Pilam Coahuiltecan Nation	Request to be included in the consultation process.	The Tap Pilam Coahuiltecan Nation has been added as an additional consulting party.
Glenn K. Lindsey	The Schuele-Saathoff is shown in the wrong location and was built in 1850.	The location has been changed in the text of the Draft EIS. However, the date of the house is listed as 1870 in the National Register nomination.

Appendix I-2.2

Preliminary Cultural Resources Assessment



Preliminary Cultural Resources Assessment

**STB Finance Docket 34284 -- Southwest Gulf Railroad Company --
Construction and Operation Exemption -- Medina County, TX**

Prepared by:

Surface Transportation Board
Section of Environmental Analysis
1925 K Street, N.W.
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October 2003

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INTRODUCTION

On February 27, 2003, Southwest Gulf Railroad Company (SGR) filed a petition with the Surface Transportation Board (Board) seeking authority from the Board to construct and operate approximately seven miles of single-track railroad in Medina County, Texas. The proposed rail line would extend from a planned Vulcan Construction Materials, LP (VCM) limestone quarry to a connection with the Union Pacific Railroad Company (UP) rail line. VCM is a subsidiary of Vulcan Materials Company which is affiliated through common ownership with SGR. SGR also plans to build a two-mile long loading loop or a one-mile long straight track within the planned quarry property.¹

Pursuant to the National Environmental Policy Act of 1969, 42 U.S.C. 4321 *et seq.* (NEPA), the Council on Environmental Quality's regulations implementing the procedural provisions of NEPA (40 CFR Part 1500), the Board's environmental rules (49 CFR Part 1105), and related environmental laws, including the National Historic Preservation Act, 16 U.S.C. 470f (NHPA), the Board must conduct an environmental review of SGR's proposal prior to issuing a final decision on SGR's petition.

The Board's Section of Environmental Analysis (SEA) is the office responsible for conducting the environmental review of SGR's proposal. URS Corporation of Austin, Texas is SEA's independent third-party consultant for this environmental review. Under the direction, supervision, and approval of SEA, the third-party consultant develops technical data required to complete the environmental review of the proposed action and assists in the preparation of the appropriate environmental document.

As part of SEA's environmental review and pursuant to the section 106 process of NHPA, SEA is assessing the potential impacts SGR's proposed project could have on cultural resources. The Advisory Council on Historic Preservation's regulations at 36 CFR Part 800 outline the steps SEA must follow to complete the section 106 process. Consultation with appropriate parties and public involvement are integral to the section 106 process.

¹ This loading loop or straight line track is not subject to the Board's jurisdiction but is part of the Board's environmental review, pursuant to relevant environmental regulations.

The Section 106 Process

The section 106 process is comprised of the following three phases: (1) the Identification Phase; (2) the Assessment Phase; and (3) the Mitigation Phase. In the Identification Phase the agency must consult with the State Historic Preservation Officers (SHPO) and/or Tribal Historic Preservation Officers (THPO) to identify historic and cultural resources within the area of potential effects and determine whether any of these resources are historic resources (meaning that they are listed in or potentially eligible for listing in the National Register of Historic Places (NRHP)). If the agency and the SHPOs and/or THPOs determine that historic properties could be affected by the proposed project, the agency and the SHPOs and/or THPOs must undertake the Assessment Phase and determine whether the effects to the properties would be adverse. If the agency and the SHPOs and/or THPOs determine that historic properties would be adversely affected, the agency will work with all consulting parties in the Mitigation Phase to devise appropriate mitigation. See 36 CFR 800.1(a).

At the outset of the section 106 process the agency must identify the appropriate SHPOs and/or THPOs and other consulting parties and initiate consultation with them and develop a plan for public involvement.

The Section 106 Process for this Project

Pursuant to the ACHP regulations for implementing section 106, SEA first identified the appropriate SHPO (the Texas Historical Commission) and THPOs (the Comanche Nation, the Cherokee Nation, the Iowa Tribe of Oklahoma, and the Kickapoo Tribe) and initiated consultation with them. Both the SHPO and the Comanche Tribe requested detailed information regarding the cultural resources in the area of the proposed project. By letter dated July 15, 2003, the Iowa Tribe of Oklahoma stated that it will have no comment on the proposed project, because the project does not fall within the historic lands of the Iowa Tribe.²

The Medina County Environmental Action Association (MCEAA), a citizen organization composed of residents who live in the area of the proposed project, requested to be included as a section 106 consulting party. SEA granted MCEEA's request by letter dated July 21, 2003. By letter dated August 8, 2003, SEA invited the Medina County Historical Commission, the Quihi

² Based on these comments, SEA will not send the Iowa Tribe of Texas further information regarding the proposed project.

and New Fountain Historical Society, and the Schweer's Historical Foundation to participate as consulting parties in the section 106 process. The Quihi and New Fountain Historical Society responded by letter dated August 20, 2003 stating that it would like to participate in the section 106 process.

This cultural resources assessment report is intended to serve as a starting point for the section 106 consultation for SGR's proposed project. The report sets forth SEA's preliminary findings and recommendations based on SEA's studies to date. Chapter 1 briefly describes SGR's proposed action and alternatives. Chapter 2 contains a cultural context overview of the proposed project area by providing a summary of the prehistory and history of Medina County and a brief discussion of known and potential historic resources located in the areas of potential effects. Chapter 3 discusses the results of SEA's initial studies, and includes SEA's opinion of the project's effects on historic properties and preliminary recommendations for treatment and/or mitigation.

SEA is providing a copy of this report to the SHPO, THPOs, and all of the parties that have been identified as consulting parties, which include the Medina County Environmental Action Association, the Medina County Historical Commission, the Quihi and New Fountain Historical Society, the Schweer's Historical Foundation, and SGR.

Public Involvement

SEA plans to involve the public throughout the section 106 process and in conjunction with the overall environmental review. SEA held an Open House in Hondo, Texas on June 12, 2003 and provided the public with informational handouts, the opportunity to ask questions on an informal basis, and to submit written comments. SEA has received over 100 comments to date, some of which provided information regarding cultural and historic resources and raised concerns about the project's potential impact on privately-owned cemeteries not listed in public databases and privately-owned historic properties listed on the NRHP. After completing environmental studies, SEA will issue a draft environmental document for public review and comment, setting forth SEA's preliminary recommendations and conclusions. This cultural assessment report and any additional information regarding cultural and historic resources or the section 106 process for this project will be included as part of the environmental document.

1.0 DESCRIPTION OF PROPOSED ACTION AND ALTERNATIVES

1.1 Proposed Route

Southwest Gulf Railroad Company's (SGR) proposed route would consist of a single-track rail line between the Vulcan Construction Materials, LP (VCM) planned quarry site and the nearest Class I rail line, which is Union Pacific Railroad Company's (UP) Del Rio Subdivision. The UP rail line is located approximately seven miles south of the proposed quarry site, and SGR's line would meet the UP rail line at approximately milepost 250, at a point near Dunlay, Texas, as shown in Figure 1.

The proposed rail line would not traverse any incorporated or densely populated areas and would not cross any other rail lines. SGR's proposed route would cross one state maintained road (FM 2676), three county roads once and one county road twice. SGR's proposed route would cross five drainage features with intermittent seasonal flow (Cherry Creek, Quihi Creek, Polecat Creek, Elm Creek, and an unnamed tributary of Cherry Creek).

1.2 Description of Construction Activities

SGR's proposed construction of the seven-mile rail line plus the two-mile loading loop or one-mile straight line track would involve eight phases. These phases would include: clearing and preparation of the right-of-way, fencing and utility relocations, earth work (cut and fill), roadbed construction, construction of structures and bridges, track placement, installment of signaling and grade crossings, and seeding and erosion control. The design criteria for the proposed rail line was based on American Railway Engineering and Maintenance of Way (AREMA) recommended practices for heavy-haul rail lines.

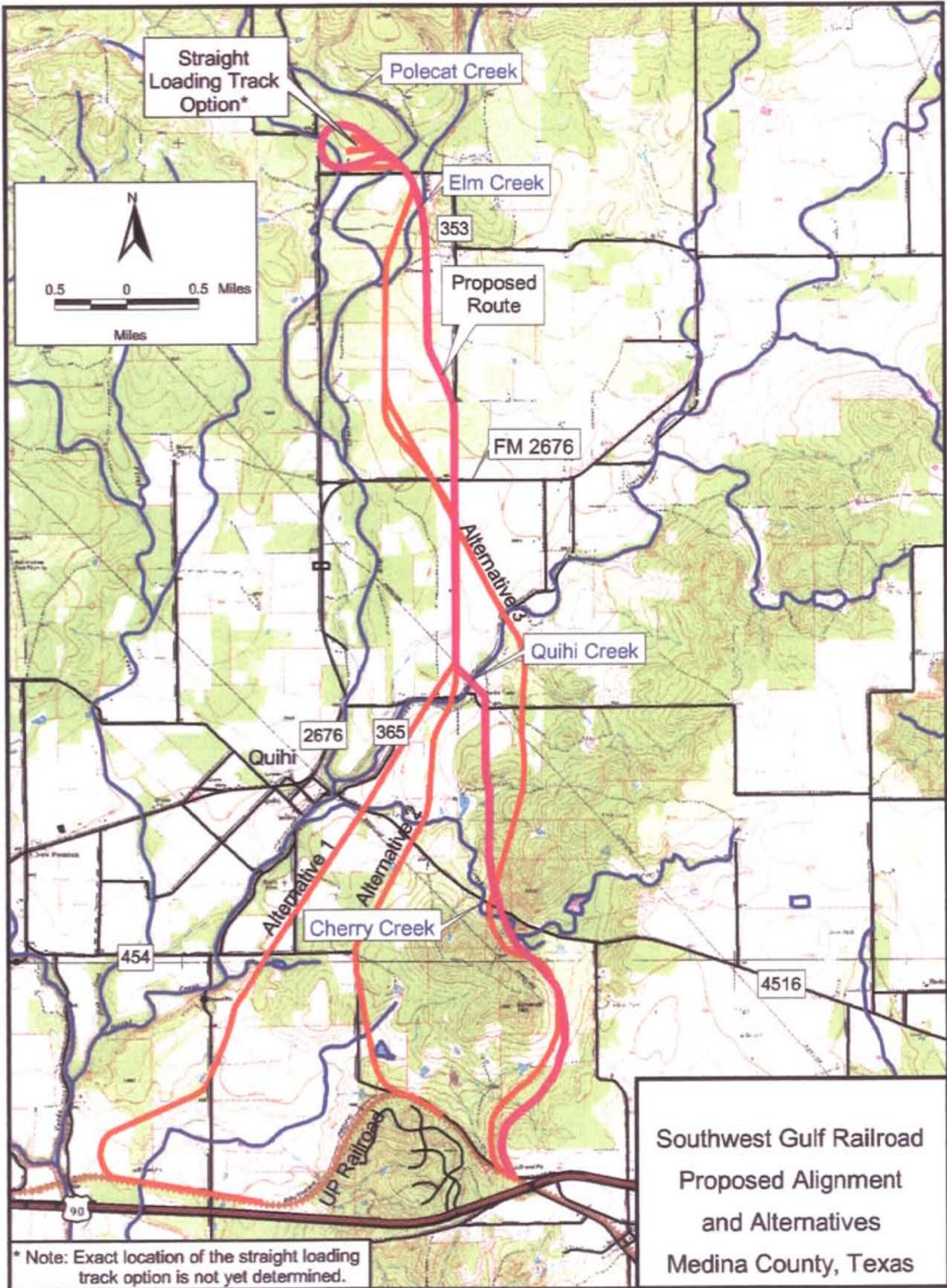


Figure 1. Proposed Route and Alternatives

SGR estimates that rail line construction would take 12 months.

- a. Clearing and preparation of right-of-way - 2.5 to 3 months
 1. Grubbing and clearing brush
 2. Fencing and utility relocations
 3. Earth work - cut and fill

- b. Roadbed construction - 2 months
 1. Roadbed construction
 2. Installation of culverts
 3. Structures and bridges construction

- c. Track placement -7 months
 1. Laying ties and rail
 2. Constructing structures and bridges
 3. Signaling and grade crossings
 4. Seeding and erosion control

1.3 Description of Maintenance and Operation Activities

SGR intends to use trains with gross weights exceeding 14,000 tons and consisting of 100 cars, with 100-ton capacity each. SGR estimates that a minimum of 9,000 horsepower will be required to move these trains to the UP line. SGR intends to use typical models of locomotives for its normal operation. The types of cars to be used may include open gondolas or bottom-dump hopper type with a capacity to carry 100 to 120 tons of aggregate. The typical train length will be 100 of these cars. Each car would be approximately 50 to 58 feet long. Therefore, the typical length of a train would range roughly between 5,200 to 5,800 feet. Based on estimated rail shipments totaling 5 million tons, SGR expects to operate approximately four train movements per day, including both inbound (empty) and outbound (loaded) traffic, upon full operation of the proposed quarry.

SGR's proposed route would cross the following roads: FM 2676; County Road 454; County Road 4516; County Road 365; and County Road 353 twice.

SGR anticipates that the length of the rail line would be bounded on both sides of the right-of-way by appropriate fencing. Inside the right-of-way, native grass and shrubs would be

maintained. Consistent with most fence lines in the rural area, it is likely that native trees will develop and flourish, creating a visual buffer between the rail line and adjacent properties.

SGR states that it would conduct maintenance activities to maintain the rail line in good condition. Tracks would be maintained by resurfacing and replacing the ties and the damaged rail as needed. Industry track, including switches, would be inspected on a monthly basis in compliance with Federal Railway Administration Standards. The locomotives would be maintained by changing filters and by cleaning the external bodies with water. In addition, rail testing equipment would be run over the rail line on a yearly basis to electronically check for defects in the rail. Based on these inspections, ties and defective rail would be replaced. The track alignment would also be maintained using a surface machine to maintain the grade and alignment within applicable requirements.

1.4 Other Route Alternatives Considered

During the planning phase of the project SGR preliminary examined a total of eight routes (with minor variations within the routes), and evaluated the routes for avoidance of wetlands, favorable topography and the number of properties crossed. SGR determined that four of the eight original alternatives met the criteria for further evaluation: SGR's proposed route; Alternative 1; Alternative 2; and Alternative 3 (see Figure 1).

VCM also considered alternative means of transporting quarried materials to the UP line, such as a conveyor system. VCM rejected the conveyor system option, because of the economic cost of building and maintaining more than seven miles of belts and idlers.

In addition to SGR's proposed route, SEA's environmental review will examine Alternative 1, Alternative 2, Alternative 3, and the no-build alternative.

1.4(a) Alternative 1

Alternative Route 1 would connect with the UP rail line approximately 3 miles west of where the proposed route would. This route is approximately 2 miles longer than the proposed route and would cross in excess of 20 individual properties.

1.4(b) Alternative 2

Alternative Route 2 would connect with the UP rail line in the same location as SGR's proposed route. This route swings farther west than SGR's proposed route, which would increase the distance by approximately 1,000 feet and cross in excess of 18 individual properties.

1.4(c) Alternative 3

Alternative Route 3 would connect with the UP rail line in the same location as Alternative Route 2 and SGR's proposed route. This route swings farther east and then cuts back to the west diagonally across several properties. This route is about 2,500 feet longer than the proposed route and crosses in excess of 16 individual properties.

1.5 The No-Build Alternative

Under the no-build alternative, the VCM quarry would be built, but the limestone produced by the quarry would be moved by truck rather than rail. Trucks would carry the limestone from the quarry to the UP line. SGR estimates that it would take about 900 truck trips (450 round trips) per day to transport the limestone.

2.0 Cultural Resources

2.1 Cultural Context Overview

Southwest Gulf Railroad Company's (SGR) proposed route is located in the Medina River Basin in the South Central Texas cultural region near the communities of Dunlay, New Fountain, and Quihi. The rich and abundant natural resources of the region, including the Edwards Plateau and the Medina River valley and its tributaries (Hondo Creek, Verde Creek, Quihi Creek, Elm Creek, and Cherry Creek), have attracted groups of people to the area for at least the past 10,000 years. Water sources, wild game, native plants, and raw materials, like those found along Quihi Creek, have been exploited by many groups throughout the years. These groups have left behind evidence of their activity in the form of archeological sites, cemeteries, and historic buildings, which are referred to as cultural resources, historic properties, or archeological deposits.

Significant numbers of Germanic-Alsatian-style native stone homes and ruins and Victorian-style wooden frame homes are present along Quihi Creek and are associated with the 19th and 20th century communities of Quihi and Upper Quihi. Associated with all of the buildings and ruins are buried historic archeological deposits. The deposits at the 19th century houses and ruins are significant because of their connection with early periods of Texas history. The Quihi communities were founded by immigrants from Oldenburg, Germany who came to the area in 1856. The first immigrants to the Quihi area arrived in 1846 and obtained land from Henry Castro's grant.

Frenchman Henri Castro (1786-1865), a former member of Napoleon's guard of honor, immigrated to the United States and became a naturalized citizen in 1827 (Williams 1996). In 1838, Castro returned to France, where he became a bank partner and began negotiating a loan for the newly formed Republic of Texas. The President of the Texas Republic, Sam Houston, named Castro as consul general for Texas in Paris, and Castro's interest in the new republic grew.

In 1842, Castro entered into a contract with the Texas Republic to settle a colony on the Medina River. Castro recruited colonists from the Alsace region of France who brought French customs and building styles to the area (Bishop 1996). The first 35 colonists arrived in September of 1844 and the colony subsequently grew in number. Colonists endured disease, drought, and attacks from Native Americans, and in 1848, Medina County was formed. These Alsatian colonists founded the present-day towns of Castroville, D'hanis, Quihi, and Vandenburg (Bishop 1996). In 1845, the village of Quihi was established (Williams 1996) and Texas became a state of the United States.

The historic periods of the Texas Republic and Early Statehood are of great interest to scholars, archeologists, historians, historic architects, genealogists, and other interested groups. For this reason, the Germanic-Alsatian houses and ruins in the Quihi area and associated archeological deposits are considered significant, non-renewable cultural resources that have the potential, when scientifically studied, to contribute new knowledge about the unique local and regional history of the Quihi community. Areas adjacent to county roads can be considered high-probability areas for the presence of 19th century cottages, houses, and private cemeteries. High-probability areas for prehistoric sites in this region would be well-drained areas located near springs and karst features, and along rivers, streams, and creeks. Archeological evidence related to prehistoric quarrying, stone tool manufacturing, and habitation has been reported in the Quihi Creek watershed (Hester 2003; Keller 1979).

Segments of SGR's proposed route, Alternative 1, Alternative 2, and Alternative 3 have a high-probability to contain archeological deposits because of their hydrological and topological setting and/or their proximity to late 19th century residences, ruins, and roads. The intermittent tributaries of Quihi Creek, Cherry Creek, Elm Creek, and Polecat Creek exhibit shallow to deep alluvial soils that have the potential to contain prehistoric archeological deposits, such as temporary open campsites or activity areas. The absence of a river or a dependable year-round water supply limits the possibility that the remains of large habitation sites will be present in the Quihi Creek drainage. Large campsites are often located in areas with well drained sandy soils within 300 to 600 feet of dependable water sources such as the Medina River. Extensive deposits of Uvalde gravels, a raw material known to be frequently exploited by prehistoric tool makers, are not present in the area of the proposed project, but are found 5 miles to the north (Brownlow 2003) and 10 miles to the south, near La Coste, Texas (Godwin et al. 2003).

The absence of Uvalde gravel deposits near the Quihi area reduces the probability that large numbers of extensive prehistoric quarries will be present. In addition, large prehistoric lithic procurement sites, which are prehistoric stone quarry or workshop locales made up of a scatter of gravel and cobble rocks that have been broken open by Native American stone tool makers or flintkappers in order to extract chert for the manufacture of projectile points (commonly known as arrowheads) and other types of stone tools, are likely absent as well. Large quarries or procurement areas are generally associated with extensive natural outcrops of Uvalde gravels. In the Quihi Creek area, large procurement sites are not expected because the deposits of Uvalde gravels are located to the south and southeast of Quihi. A brief cultural context overview for the prehistory and history of the Quihi area follows.

2.1.1 Prehistory

The archeology of the area is similar to that of adjacent areas of central Texas, particularly Bexar County. Medina County contains at least 131 recorded archeological sites (Godwin et al. 2003). The earliest inhabitants of Medina County were the PaleoIndians who likely immigrated from Asia about twelve thousand years ago. The PaleoIndians were hunters and gatherers, and utilized particular blade technology to create stone tools to hunt and process now-extinct animals, including mastodon and mammoth. The early stages of the PaleoIndian period are made up *Clovis* point users and *Folsom* point users.

The *Clovis* point users made a distinctive point and used it on a thrusting spear. The defining traits of the *Clovis* point are large flutes, sometimes referred to as "blood grooves." The flute is a large flake or thin "blade" of chert that is removed by the flintkapper in one piece. The single flute runs the length of the point and is located in the center of the point. Archeological sites with *Clovis* period components are widespread across North America, including the south central United States and Central Texas, and are often found with mammoth bones, in stone tool caches (stored items or provisions buried or concealed in natural locales, such as a cave), and at habitation sites where groups temporarily camped (Collins 2003). Little is known about *Clovis* peoples' plant gathering and processing.

The *Clovis* point users were replaced or evolved into *Folsom* point users about ten thousand years ago. The distinguishing traits of the *Folsom* points are their small size and their central flute. The *Folsom* users also hunted large now-extinct game, primarily the *Bison antiquus*. As a result, *Folsom* site distribution is not as widely spread across North America and are common in the Plains, Prairies, and parts of the southwestern United States (Collins 2003). The nomadic hunter-gatherer ways of *Folsom* point users is becoming better known, but their plant gathering practices are largely unknown. Relatively few sites of the *Clovis* or *Folsom* peoples have been found in Medina County. However, adjacent Bexar County contains several known sites of these peoples.

About eight thousand years ago, during the Late Paleo-Indian period, flake technology, or the methods used by flintkappers to manufacture tools, superseded blade technology. At this time, the style of the points changed from large fluted points to smaller, finely-flaked points, sometimes asymmetrical. The smaller points contain multiple flakes that are narrow, short, and fine, and are thinning pieces of chert removed by flintkappers, instead of larger single "blade" flakes. The fine flaking is present across the width of the Late Paleo-Indian points, and is not oriented lengthwise.

Artifacts from this time that are commonly found in the region are *Plainview* points. *Plainview* points are non fluted points made from large chert or flint flakes. The points contain no barbs, indicating that they were still used on thrusting spears. These points were designed to be thrust into an animal and withdrawn for another thrust. *Plainview* point users were nomadic groups that hunted the last of the *Bison antiquus*.

The end of the Paleo-Indian period about 12,000 years ago was marked by the development of barbed points used with the newly developed atlatl, a spear thrower. Peoples of the proto or early Archaic period about 5,000 years ago retained a small number of styles of thrusting spear points but Early barbed, *Wilson* and other barbed styles prevailed. More is known about the plant processing techniques of these peoples and their hunting of modern animals, such as deer.

The Archaic period (5,000-6,000 to 1,800 years ago) is divided differently, depending on the archeologist. Generally, most archeologists agree on a proto-Archaic phase followed by early, middle and late phases. Each period or phase is characterized by dart point styles and other tool types. The creation of burned rock middens, or cooking features made up of native stone, and the use of manos, or grinding stones, and metates, or grinding slabs, reflect the dependence on wild plants as food and for tools. The osteological material, or animal bone samples, collected from sites of the period show that deer hunting and small game trapping for food took place. Sites of the Archaic period are large and numerous throughout the area indicating an increase in population and a long period of occupation.

Evidence shows that certain technological advances took place in the area about thirteen hundred years ago. The invention of the bow and arrow allowed hunters to stand at a distance from game and to be more effective. In the area of the proposed project, distinctive, small-barbed arrow points mark the period. Among these are the *Scallorn* (earlier) and *Perdiz* (later) points. In the area of the proposed project, *Perdiz* points are occasionally found with *Leon plain* pottery shards. Some large late sites in Bexar County contain burial sites and elaborate shell and bone work artifacts. This period is called by various names including Neo-American, Post-Archaic, and Late Prehistoric.

2.1.2 History

By the time the Spanish entered the area in the late 1680s, most native peoples in the area were Coahuilteco speakers. A number of Apache groups were located to the north and

west, the Sana were to the northeast, and other groups, including the Karankawa and Coahuilteco speakers, were located to the southeast and south. These groups were likely different from the prehistoric groups of the area, because the Coahuiltecos from Coahuila moved northward in the mid to late 16th century and other groups from the Nuevo Santander and Nuevo Leon regions were mobile during that time as well.

Early Spanish contact with peoples along the Gulf of Mexico of today's Texas coast line (Pineda in 1519 and survivors of the Nárvaez expedition of 1528) had little to no direct impact on the peoples of the proposed project area. Primarily, the impact would have been the result of European diseases transmitted by contact with coastal peoples. By the late 1680s, Alonzo de Leon was in contact with groups to the south. The Terán and Mazanet expedition of 1691 indicated that Coahuilteco was spoken from Coahuila northeast to the Guadalupe River. One of the important groups in the area was the Ervipiami who had been earlier noted in northern Coahuila and still earlier in southwestern Coahuila. By 1719, the Lipan Apaches had moved into the area from the northwest, and by 1740, the first Comanches entered the area. They were followed by a much smaller group, the Tonkawa in the late eighteenth century. Comanches remained in the area into the second half of the 19th century.

The Camino Real or Upper Presidio Road established in the late 1600s passed through the southeastern portion of the Medina County area. A later road ran from San Antonio toward Bandera Pass and then later to Uvalde. This road was near the current US Highway 90. The official establishment of the Spanish settlement at San Antonio de Bexar in 1719 suggests that Spaniards began to enter Medina County on a fairly regular basis after that date. It is likely, however, that Spanish ranchers from Nuevo Leon were already chasing cattle and hunting buffalo in the area prior to that date. With the establishment of the missions of Mission San Antonio de Valero, Mission Concepcion, Mission San Jose, and Mission Espada on the San Antonio River, Spain controlled the area now known as southwest Texas, and Spanish missions and secular ranches were established during the early 1700s. San José's Rancho San Lucas developed just east of the proposed project area (McGraw, Clark, and Robbins 1991). However Jackson's 1986 magnum opus "Los Mesteños" does not indicate Spanish ranches west of San Lucas. Thus, the Quihi area, during the Spanish and Mexican periods, would see the occasional group of vaqueros and various Indians, but no permanent European settlement.

The French conquest of Spain in 1810 engendered a number of revolutions in the Spanish colonies in the Americas in 1811. The Viceroyalty of Nueva España, or New Spain,

which included Texas as its most northeasterly province, experienced these revolutionary uprisings. Initially the uprisings were successful (Garrett 1969), but, by 1813, Spanish forces were able to reassert their sovereignty at the battle of the Medina in Atascosa County (Schwarz 1985).

Following the battle of the Medina, Spanish troops removed rebels and rebel supporters from the province of Texas, almost depopulating the area. Spanish officials attempted to repopulate the province with those loyal to the Spanish government, and established the missions of Nueva Jaen located west of the proposed project area, San Marcos de Neve on the San Marcos River, and Trinidad de Salcedo on the Trinity River.

After the Spanish effort proved unsuccessful and control of the region began to shift, the Governor of Texas conceded to listen to a proposal from a Spanish citizen from Upper Louisiana, Moses Austin, who suggested bringing families from the United States into Texas. Austin's death and a new and successful revolution that led to the formation of Mexico in 1812 postponed the colonization proposal. However, Austin's son, Stephen, took up his father's enterprise and began the settlement of three hundred families to Mexico from the United States in 1824.

In the same year, the Mexican government ratified a liberal constitution, patterned on that of the United States. It allowed Mexican states to establish liberal immigration policies. Several colonization projects were initiated. However, by 1828, the Mexican government became worried about the great number of foreigners and sent General Manuel Mier y Terán on a tour of inspection. He reported that large numbers of immigrants from the United States were present, which confirmed the government's fears that the new settlements were being established by groups that did not come from Mexico, and led to the development of laws to curtail immigration from the United States.

During this time, two political parties, the Federalists and the Centralists, fought for control of the Mexican government. In 1835, Antonio Lopez de Santa Anna, a supposed Federalist, took power by military action and quickly showed himself to be a Centralist. This caused several revolts in Mexico, notably in Zacatecas and later in Texas. In 1836, Sam Houston led a small Texan army to battle at San Jacinto and successfully won Texas' independence by capturing the Mexican commander and head of state, Santa Anna.

Texas remained an independent republic for almost ten years and focused on attracting new settlers to the area to help ward off attacks by Indians and Mexicans. Among the colonial leaders was Henri Castro, the Frenchman who settled Alsatians in a colony west of the Medina River. As previously mentioned, Castro founded Castroville in 1844 and brought settlers to Quihi in 1845 (Ochoa 1996a). Quihi, named for the white-necked Mexican Eagle buzzard, the quichie or keechie, developed near Quihi Lake (Odintz 1996). Settlers lived in town and farmed in the outlying lands. The town was founded by ten families, including the Brucks, Heyen, Muennink, Pichot, Schweers, Schuele, and Saathoff families, but continued to grow with the addition of new Alsatian and Freisan families and, later, of German families.

The population of Quihi eventually grew to about 100 before the Civil War (Odintz 1996). Settlers from central Germany came to Quihi after the Civil War, and by the 1850s settlers were building distinctive homes of local limestone and adobe. Two types of limestone are present in the area -- a white limestone at Quihi and a yellowish-orange limestone in Upper Quihi.

The Quihi colony continued to grow after Texas was annexed to the United States in 1845, later expanding upstream along Quihi Creek. Appendix A contains a brief account of the experience of German settlers who came to the new state and to the Quihi colony, known as the Saathoffsche Kolonie. The area had originally been part of Bexar County, but Medina County became a separate county in 1848.

A small Mormon community formed in the northeast corner of the county in 1854 but did not survive long. Cattle raising was a principal agricultural activity around Castroville and Quihi with the aid of Mexican vaqueros, or cowboys (Ochoa 1996a). The citizens of Medina County were unionist and in 1861 voted against seceding from the United States, although Texas supported the Confederacy and seceded from the United States. A number of Medina County citizens fled the state during the Civil War. Like all areas in the Confederacy, Medina County experienced economic hardship during the war, and property values dropped.

After the Civil War, German immigrants increased in number in the county, and by 1870 they comprised the majority of the inhabitants in the county. The arrival of the railroad in the 1880s promoted the economic growth of the area, and cattle and other stock raising reached a peak in the 1870s and 1880s when barbed wire enabled ranchers to control the ranging of their stock. By the 1890s, the cultivation of cotton replaced most other kinds of farming. However,

the boll weevil or insect infestation of 1905 ended the dominance of cotton which was then replaced by corn. The Medina dam project to irrigate land in the eastern part of the county early in the 20th century faced numerous difficulties, but did not affect the area north of Quihi. Tenant farming became important in the county during the first third of the 20th century.

Medina County contains several designated historic sites that are significant to local and regional history and/or prehistory. The nearby 19th century community of New Fountain has an historical marker on FM 2676 commemorating the Weimers Oak tree that is located on land purchased by Johann Weimer in 1854. The oak tree was the site of religious services for the community until Mr. Weimer founded the New Fountain Methodist Church nearby. The oak continued to serve as a gathering site and a site for making molasses and is an important local landmark. A family home is nearby (Awbrey and Dooley 1978). Appendix B contains a portion of the 1870 Medina County Census that lists the inhabitants of New Fountain.

Listed on the National Register of Historic Places (NRHP) in Quihi is the Schuele-Saathoff house. The house dates to about 1870 and is a typical Castro Colony one and a half story limestone house. It was entered on the NRHP in 1982 under criteria related to architectural style and association with area pioneers (Steeley 1984).

Pioneer families associated with potential historic homes and ruins in the SGR project area and the Quihi Creek settlement include: Brucks, Heyen, Muennink, Pichot, Schweers, Schuele, and Saathoff. Given the location of SGR's proposed project, it is highly likely that both prehistoric and historic sites would be located by an on-the-ground pedestrian survey. Some of these sites would likely be significant because of their architectural style and/or association with pioneer families.

2.2 Areas of Potential Effect (APE)

A total of four possible routes or Areas of Potential Effect (APE) have been identified for the SGR railroad right-of-way. The proposed route and Alternatives 1, 2, and 3, are located in the semi-rural setting of the Quihi and Upper Quihi communities, which contain numerous 19th century houses and ruins. The majority of structures in the area are residences dating in age from the 1870s to the 1940s. Each of the four proposed rail alignments is located near potentially eligible historic homes which are distributed along county roads near Quihi Creek (see Figure 2).

Under the no action alternative, a remote loading facility would be constructed near the southern end of the SGR route to transfer rock material from the trucks to the main Union Pacific Railroad.

Historic land uses include ranching, agriculture, quarrying for gravel and stone, and underground and above-the-ground utility easements. Underground pipelines cross the area of the proposed project in two places; unimproved county roads and one paved farm to market road are also present. Two electrical transmission lines span the area. The upland portion of the right-of-way crosses undeveloped tracts covered in mesquite trees and native grasses. The portion of the right-of-way that crosses the Quihi Creek floodplain is open and predominately agricultural, and has been intensively farmed since the 1870s. Cherry Creek, Elm Creek, and Polecat Creek are located in undeveloped wooded upland tracts where land use impacts have been minimal.

SEA's background research encompassed the Quihi and Upper Quihi areas and revealed that one historic property included in the NRHP is present near two of the alignments. The Texas Historic Sites Atlas lists the 19th century Schuele-Saathoff House as a NRHP property. The Schuele-Saathoff House is located near the proposed route and the Alternative 2 alignment. A review of early 20th century historic maps indicates that many of the structures in the Quihi area were constructed prior to 1930. The site visit to initially view the cultural resources confirmed that the semi-rural Quihi neighborhood is made up predominately of late 19th and early 20th century vernacular-style residences designed in a regionally distinctive style that incorporates locally available raw materials, such as native limestone.

SEA's preliminary study identified that a total of 16 potentially significant 19th century homes, ruins, and cemeteries are located in the vicinity of the four routes (see Figure 2). The Schuele-Saathoff House is listed in the NRHP and is located near the proposed route and the Alternative 2 alignment. Of the remaining 15 historic properties documented during the site visit and located near at least one of the four possible rail routes, two are eligible for listing in the NRHP, eight are potentially eligible for listing in the NRHP, and the eligibility status of five of the properties is not yet known (See Table 1).

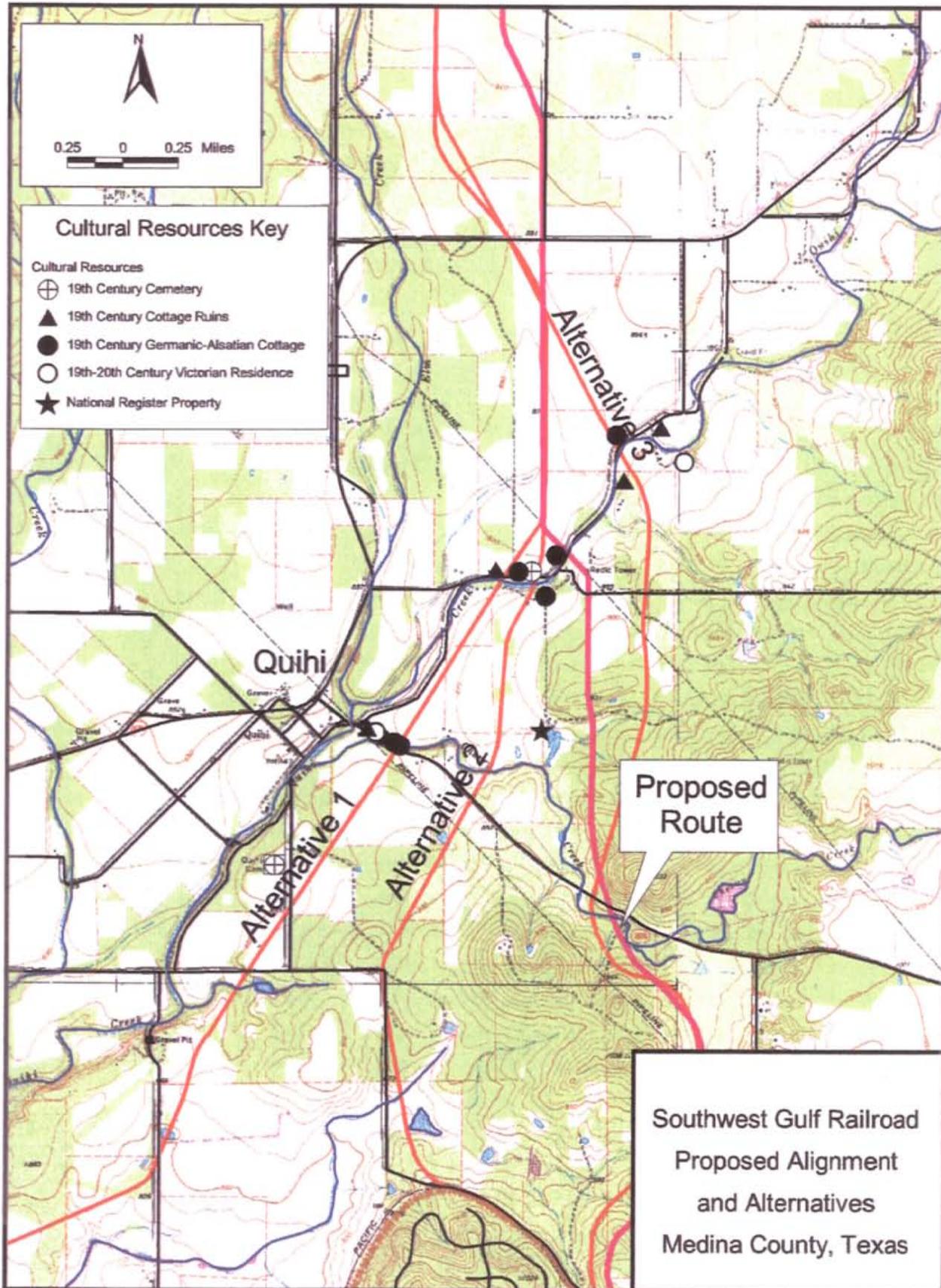


Figure 2. Distribution of the 19th Century Cultural Resources Located Within 1000 Feet of the Alignments

Table 1. Summary of 19th Century Cultural Resources Within 1000 Feet of the Proposed Route and the Alternative 1, 2, and 3 Alignments Listed from North to South with Eligibility Status

Description	County Road	Distance (ft.) from				Eligibility Status for NR Listing
		Pro. Rt.	Alt. No. 1	Alt. No.2	Alt. No. 3	
1.Oeffinger G-A Cottage	365	1800	1800	1800	250	Unknown
2.Saathoff Victorian Cottage	365	2800	2800	2800	650	Potential
3. Saathoff G-A Cottage	365	2400	2400	2400	800	Potential
4. G-A Cottage Ruins	365	2400	2400	2400	600	Potential
5. Henry Schweers House	365	250	800	250	2200	Eligible
6. Schweers Cemetery	365	1500	200	600	3200	Unknown
7. William Schweers House	365	1800	125	800	3200	Eligible
8. G-A Cottage Ruins	450	2000	400	1200	3800	Potential
9. Pichot Property	365	1000	1200	400	2400	Unknown
10. Schuele-Saathoff (NRHP)	365	1000	2100	1300	2200	Listed
11. Housely G-A Cottage	365	4300	300	2200	5500	Potential
12. G-A Cottage Ruins	4516	5300	1000	3400	6800	Potential
13. Victorian House	4516	5200	800	3100	6400	Unknown
14. G-A Ruins @ 4311	4516	5000	300	3800	6000	Potential
15. G-A Cottage @ 4311	4516	4950	125	2500	5800	Potential
16. Quihi Cemetery	4517	4700	700	3800	7600	Unknown

AD=Archeological Deposits; G-A=Germanic Alsatian; NR=National Register Property

In addition to the 19th century structures present, three 20th century residences more than 50 years old were identified within 1000 feet of SGR's proposed route and alternative routes that may be indirectly impacted by construction and/or operation activity. Each of the properties is occupied and the structures consist of residences built during the 1930s to 1940s. The 20th century houses for the most part do not appear to be eligible for listing in the NRHP based on architectural style, with the possible exception of one home on County Road 4545.

Two of the 20th century houses are 1940s-era homes on County Road 353. One is a framed bungalow-style residence located about 400 feet east of the proposed route. The second is a frame bungalow about 1000 feet from the proposed route. The third property is a mid-20th century Mediterranean-style bungalow that is located on County Road 4545 approximately 200 feet west of the Alternative 1 alignment. Due to the large numbers of potentially significant 19th century structures present in SGR's APE, this report focuses on the 19th century structures. Photographs of the 20th century properties will be made available upon request.

SEA's preliminary database search also revealed that one archeological survey has been conducted in the vicinity of the project area. The survey resulted in the finding of one prehistoric

site, Site 41ME5 (Keller 1979). Site 41ME5 is a sparse scatter of stone debris from the manufacture of stone tools of unknown age and cultural affiliation, located on the banks of Elm Creek, and was destroyed by the construction of FM 2676. All of the 19th century structures in the Quihi vicinity and ruins possess associated archeological deposits, some of which are eligible for listing in the NRHP.

2.3 Proposed Route

SGR's proposed route passes by three 19th century properties and two 20th century homes. The 19th century Schuele-Saathoff House is a significant historic property listed in the NRHP that is located about 1000 feet west of the proposed route. The Henry Schweers House, a property eligible for listing in the NRHP is located about 250 feet to the west of the proposed route. A standing structure on the Pichot property is located within 1000 feet west of the proposed route. The eligibility status of the Pichot property is not known. In addition to the 19th century structure, two occupied 20th century homes are located within 1000 feet of the Proposed route. The 20th century houses near the proposed route are listed in Table 2 though preliminary data suggest that they are not eligible for listing in the NRHP. No known archeological sites are located inside or near the proposed route. However, all the areas surrounding the Germanic-Alsatian historic homes contain significant archeological deposits. Table 2 presents a summary of all the known cultural resources located within 1000 feet of the proposed route.

Table 2. Summary of Known Cultural Resources Within 1000 Feet of the Proposed Route

Property	Approx. Date	Description	Dist. From Proposed ROW
1. Schuele-Saathoff House (NRHP)	1870s	G-A Cottage	1000 ft. to West
2. Henry Schweers House	1880s-<1969	G-A Cottage	250 ft. to West
3. Pichot Property	1840s(?)-1880s	G-A(?) Cottage	1000 ft. to West
4. C.J. Saathoff	1930s-1940s	Frame Bungalow	400 ft. to East
5. Unknown/County Road 353	1930s-1940s	Frame Bungalow	1000 ft. to East

G-A=Germanic-Alsatian

2.3.1 The Schuele-Saathoff House

As previously mentioned the Schuele-Saathoff House (also known as the Saathoff House) was listed in the NRHP in 1982. Appendix C contains a copy of the NRHP form for the property. The NRHP data available from the Texas Historical Site Atlas is the source of this brief discussion. The Saathoff house dates to the early 1870s and is a well-preserved example of regional Germanic-Alsatian domestic architecture characteristic of Medina County and Central Texas. The design of the Saathoff House is unlike that of the characteristic Texas German style houses typical of counties to the north, which were settled by immigrants from central Germany.

The rectangular Alsatian-influenced Saathoff House possesses a five-bay porched front, a relatively low gable roof with end chimneys, and native plastered limestone with lime-sand mortar construction. Similar to other Eastern European pioneer Texas dwellings, the architecture of the Saathoff House reflects the limitations of the 19th century Medina County frontier environment and the simple adaptation of the pioneers to the local building materials, rugged conditions, and climate of Texas. Constructed of native stone quarried from Quihi Creek, the wood work inside the home was made of local cypress wood, as were shingles. Because the Schuele-Saathoff House is listed in the NRHP, the house is eligible to be designated by the State of Texas as a State Archeological Landmark (SAL).

2.3.2 The Henry Schweers House

The Henry Schweers House is an example of a one and a half story vernacular cottage constructed in the 1880s. The residence is a typical example of a Castro Colony, Germanic-Alsatian-style cottage constructed by a master mason of local native stone (see photographs 7 and 17 in Appendix D). The structure has not been occupied since before 1969 and is deteriorated due to neglect. Overall, the condition of the house is fair. Some window frames have been removed and the stucco surface has deteriorated to expose the natural stone walls. The rear addition is gone. The property has been cleared of collapsed outbuildings and one historic barn remains, as well as modern concrete cisterns.

The Henry Schweers House, despite its condition, is potentially eligible for listing in the NRHP. The structure qualifies for listing under the categories of architecture/engineering, historic events, and association with the pioneer Schweers, Muennik, and the Brucks families influential in establishing commerce and education and religious facilities in Medina County. The house is associated with about 30 other German-Alsatian residences that make up the Quihi and Upper Quihi Creek communities and could be considered for a thematic NRHP nomination. The structure is also eligible for listing as a Recorded Texas History Landmark (RTHL). If the property is included in the NRHP, the house would be eligible for designation as an SAL.

2.3.3 Pichot Property

Portions of a small structure are visible on this property from County Road 365 and County Road 4512. Maps of the region show that a structure has been in that location since before 1930. A gate across the entrance to the property indicates that the Pichot ownership of the tract dates to the 1840s. Likely, the house is a Germanic-Alsatian-style cottage constructed during the late 19th century. The structure could also be associated with Republic of Texas era (1830s-1840s)

events and persons. No access to the property was available and no photograph of the house was taken from the county roads due to thick vegetation that obscured the view of the house.

2.4 Proposed Route Preservation Plan

Vulcan Materials Company (VMC) acquired two 19th century native stone Germanic-Alsatian structures and associated outbuildings while purchasing right-of-way property for the proposed project. The structures are cottage homes of early pioneers and settlers who founded the New Fountain, Quihi, and Upper Quihi communities. The William Schweers House was occupied by Mr. William Schweers (1922-1999) until his death. Associated with the house is a small family cemetery where a Wilhelm Balzen Schweers (1843-1913), and other family members are buried. The Henry Schweers House was apparently last occupied before 1969.

The William Schweers House and the Henry Schweers House are judged to be eligible for listing in the NHRP under all criteria, and plans for their preservation are underway. The historic Quihi community is associated with the arrival of pioneer settlers in the Medina River valley in the 1850s and later. The houses were owned by members of immigrant pioneer families from Germany and their descendants. The cottage-style houses embody a distinctive architectural style unique to the Medina River valley of south central Texas. Study of the structures and their associated archeological deposits has the potential to contribute new information about the Texas Republic era and Early Statehood local and regional history. The original owners of the Germanic-Alsatian-style cottages -- the Balzen, Brucks, Heyen, Muennink, Pichot, Saathoff, Schuele, and Schweer families - - successfully adapted to rugged frontier life and were important in establishing local commerce, county-wide education, and Methodist places of worship.

VMC's development plans for the proposed SGR project included the stabilization and preservation of the 19th century homes and cemeteries in order to minimize direct impacts to the historic fabric of the Quihi and Upper Quihi communities. Recognizing the significance of the 19th century Germanic-Alsatian neighborhood to local and regional history, VMC had weeds and overgrown vegetation removed from around the Henry Scheers house and the property was fenced to keep out vandals. VMC also contacted local historians and families related to former landowners to develop a preservation plan for the Schweers homes and cemetery.

VMC and parties interested in preservation began working together and formed a non profit organization called the Schweers Historical Foundation (SHF). The foundation is working with an architect to develop an architectural and management plan to preserve and maintain the

Schweers Houses and Cemetery properties for use as a museum and/or for a meeting place for annual reunions. VMC has donated the historic homes to the SHF and pledged its corporate support of the endeavor.

2.5 Alternative 1

Alternative 1 is located in a sensitive area for cultural resources. The area contains cemeteries and certain historic properties that are eligible for listing in the NRHP and for designation as SALs. The alignment passes through one of the older parts of Quihi and is located within 1000 feet of occupied Germanic-Alsatian cottages, 19th century cottage ruins, a Victorian period home, and is within 200 feet of a modern 20th century bungalow. Although Alternative 1 is located closer to a greater number of cultural resources than the other routes, it has been sited to avoid direct impact to the historic properties that are located within 1000 feet of the proposed route (see Table 3).

The William Schweers House is about 125 feet east of Alternative 1 and is discussed in detail below. The Henry Schweers House is about 800 feet east of the alignment. The Schweers Cemetery is located about 200 feet to the east. Occupied homes are located in close proximity to the alignment and are the Housely Residence on County Road 365 (see photograph 8 in Appendix D), the Victorian house on County Road 4516 and the cottage at 4311 County Road 4516 (see photographs 9 and 11 in Appendix D). All of the extant 19th structures may be eligible for listing in the NRHP; the eligibility status of the cemetery is unknown.

Three sets of NHRP eligible 19th century cottage ruins are present near the alignment. The ruins at the intersection of County Road 4516 and County Road 365, at 4311 County Road 4516, and on County Road 450 are typical of cottage remnants and exhibit collapsed roofs and walls (see photographs 10 and 12 in Appendix D). The Quihi Cemetery is a public cemetery that is located within 700 feet of Alternative 1. In addition to the 19th century properties present, one 20th century Mediterranean-style, stucco, bungalow is located about 200 feet west of Alternative 1. No previously known archeological sites are located inside or near Alternative 1. However, all the Germanic-Alsatian historic homes and ruins have significant archeological deposits associated with them. The portion of the alignment that parallels Quihi Creek may also contain prehistoric site deposits.

Table 3. Summary of Known Cultural Resources Located Within 1000 Feet of the Alternative 1 Alignment

Property	Approx. Date	Description	Dist. From Alternative 1
1. William Schweers House	1870s-1880	G-A Cottage	125 ft. to East
2. Schweers Cemetery	1879-1913	Family Cemetery	200 ft. to East
3. Henry Schweers House	1880s-<1960s	G-A Cottage	800 ft. to East
4. G-A Ruins/CR450	1870s-1880s	Cottage Ruins	400 ft to West
5. Housely Cottage/CR365	1880s-Present	Occupied Cottage	300 ft. to West
6. Ruins at CR4516/365	1870s-1889s	Cottage Ruins	1000 ft. to West
7. Victorian House/ CR4516	1880s-1890s	Occupied Cottage	800 ft. to West
8. G-A Ruins/ 4311 CR4516	1870s	Cottage Ruins	300 ft. to West
9. G-A Cottage @ 4311/CR4516	1880s-Present	Occupied Cottage	125 ft. to West
10. Quihi Cemetery CR4517	1870s-Present	Public Cemetery	700 ft. to West
11. Bungalow CR4545	1930s-1940s	Vacant Residence	200 ft. to West

G-A=Germanic-Alsatian

2.5.1 The William Schweers House

The William Schweers House is a well-preserved one and a half story vernacular cottage constructed in 1884. The residence is a typical example of a German-Alsatian-style domestic architecture common to the New Fountain and Quihi communities, the Medina River valley, and the Castroville/Hondo area of Central Texas (see photographs 1, 2, 3, and 4 in Appendix D). Few alterations have been made to the house and include the external addition of electricity, plumbing, a telephone line, and front porch alterations.

The interior is unaltered and contains four rooms constructed of native woods. The original screen doors, window panes, and window sashes are intact, while the front porch has been altered by concrete work and the west end has been enclosed for a kitchen or bath addition. A low-pitched gabled roof covered in metal contains two brick chimneys with articulated caps rising from the house together. The house has a rear addition with a cellar that has deteriorated. The house is held together by steel beam and cable system and appears to have evidence of damp rise.

Other outbuildings include wooden sheds and a barn containing wagons and harnesses. The outbuildings have been neglected and are leaning. The house and associated archeological deposits have high research value and are potentially eligible for listing in the NRHP. The house and some of its outbuildings qualify for listing under the categories of architecture/engineering, historic events, and with association with pioneers influential in the early commerce, education, and religion of Medina County. The house is associated with about 20 other Germanic-Alsatian-style homes that make up the Quihi community and could be considered for a thematic nomination. The

structure is also eligible for listing as a RTHL by the Texas Historical Commission. If the property is listed in the NRHP in the future, the house would be eligible for designation as an SAL.

2.5.2 The Schweers Cemetery

The Schweers Cemetery is well kept and in good condition. The cemetery contains two above-the-ground tombstones marking the graves of adults and seven ground level markers showing the graves of children (see photographs 5 and 6 in Appendix D). An area equivalent to a double plot is unmarked. All graves are covered in gray pea gravel. The cemetery is enclosed within a low, home-made fence made of metal fence posts and 1/4-inch rebar and ornamental wire. The enclosure is 25 feet north to south by 20 feet east to west. The entrance is adjacent to County Road 365 and is marked by a large Spanish dagger plant.

Inscriptions on the tombstones are written in German and in English and indicate that members of pioneers named Schweers, Muennink, Heyen, and Brucks are buried in the plot. A tall pink granite monument to "Mutter and Vater" is the focus of the cemetery and is located in the southeast corner of the plot. The stone marks the grave of Elizabeth Muennink Schweers (1844-1910) and Wilhelm Balzen Schweers (1843-1913). Behind the pink granite marker, to the west, is a low stone of gray granite that marks the grave of Hinrich Balzen Schweers (1808-1900) and Zeda Heyen Schweers (1814-1879). An inscription on the top of the ornate scroll-shaped stone reads "Texas Pioneers 1856 Oldenburg, Germany."

The graves of seven children are also present inside the enclosure and are placed away from the adults in the northwest corner of the plot. A group of three graves contain the remains of the infant son of Mr. & Mrs. J. W. Schweers (1891); Louise Brucks (July 28, 1890 - August 15, 1890), and Sadie Brucks (December 29, 1901 - December 30, 1901). To the south, a second row of four stones mark the graves of Henry Schweers (February 7, 1884 - February 20, 1884), Mimke Schweers (September 17, 1886 - September 17, 1886), George Schweers (April 18, 1890 - April 18, 1890) and George B. Brucks (December 14, 1894 - July 9, 1895). The northeast corner of the cemetery does not contain any tombstones.

The oldest grave in the cemetery dates to 1879 and the most recent dates to 1913. The cemetery is designated as a cemetery in the property deed and should be considered an active cemetery. The Schweers Cemetery is owned by the estate of Henry Schweers (1922-1999). The Cemetery is adjacent to the William Schweers House. The cemetery is eligible for listing as a Texas State Historic Cemetery and for designation as an SAL.

2.6 Alternative 2

Alternative 2 has been sited to avoid five cultural resources that are located within 1000 feet of the alignment (see Table 4). The route passes by three houses that have the potential to be eligible for inclusion in the NRHP. Alternative 2 passes about 800 feet to the west of the William Schweers House, a property that is eligible for listing in the NRHP. Alternative 2 avoids the Schweers Cemetery by about 600 feet. The alignment passes 400 feet east of the structure on the Pichot property on the south side of Quihi Creek. The Henry Schweers House, a property potentially eligible for listing on the NRHP, is located on the north side of Quihi Creek, about 250 feet east of Alternative 2. No previously known archeological sites are located inside or near Alternative 2, however, all the 19th century homes and ruins have significant archeological deposits associated with them. Creek crossings may also contain areas with prehistoric site deposits.

Table 4. Summary of Known Cultural Resources Within 1000 Feet of the Alternative 2 Alignment

Property	Approx. Date	Description	Dist. From Alternative 2
1. William Schweers House	1870s-1880s	G-A Cottage	800 ft. to West
2. Schweers Cemetery	1879-1913	Family Cemetery	600 ft. to West
3. Henry Schweers House	1880s-<1960s	Ruins of Cottage	250 ft. to East
4. Pichot Property	1840s(?) -1880s	Cottage	400 ft. to East

G-A=Germanic-Alsatian

2.7 Alternative 3

Alternative 3 is located in the vicinity of significant historic structures and has been sited to avoid four cultural resources that are located within 1000 feet of the proposed route (see Table 5).

Of the four properties, one possesses unknown eligibility status, and three appear to be eligible for listing in the NRHP. The first structure is the occupied cottage located on the Oeffinger property facing County Road 365 that is located about 250 feet east of Alternative 3 (see photograph 13 in Appendix D). This property appears to be an altered Germanic-Alsatian residence and its eligibility status is unknown.

Two properties that may be potentially eligible for listing in the NHRP are 19th and 20th century properties. The Saathoff Victorian period home is occupied and is about 650 feet east of Alignment 3 (see photograph 14 in Appendix D). The Saathoff Germanic-Alsatian property is about 800 feet east of Alternative 3 (see photograph 15 in Appendix D).

The fourth property is 600 feet west of Alternative 3 and is a set of ruins located on the east side of CR365 (see photograph 16 in Appendix D). A second residence is shown at this location on USGS maps, that is also likely to be older than fifty years. Access was not available to the property. No previously known archeological sites are located inside or near Alternative 3. However, all the Germanic-Alsatian historic homes and ruins have significant archeological deposits associated with them. Creek crossings may also contain prehistoric site deposits.

**Table 5. Summary of Known Cultural Resources
Within 1000 Feet of the Alternative 3**

Property	Approx. Dates	Description	Dist. From Alternative 3
1. Oeffinger Cottage	1870s-80s	G-A Cottage	250 ft. to East
2. Saathoff Victorian	1890s	Frame Cottage	650 ft. to East
3. Saathoff G-A	1880s to present	G-A Cottage	800 ft. to East
4. Ruins CR365	1880s	Cottage	600 ft. to West

GA=Germanic-Alsatian

2.8 No-Build Alternative

If the rail line was not built, existing Medina County roads would be used by trucks to haul aggregate from the proposed quarry to a remote rail loading facility near the Union Pacific Railroad Company rail line. The houses along the proposed truck route are generally set further off from the road right-of-way and would be subject to less impact from vibration and noise or other indirect impacts than if the proposed rail line were built. However, any increased volume of weighted truck traffic on County Road 4516 would pass in close proximity to many of the historic properties, particularly ruins and small cemeteries.

3.0 Cultural Resources Impacts

The Section of Environmental Analysis (SEA) study of cultural resources began by identifying the Area of Potential Effect (APE) of the proposed Southwest Gulf Railroad Company (SGR) rail line and by gathering background information to identify any known historic properties listed or potentially eligible for listing in the National Register of Historic Places (NRHP) that could be affected by the proposed rail line. The NRHP is the official list of the nation's historic properties that are recognized for their significance in American history, architecture, archeology, engineering, and culture. A property is eligible if it meets specific criteria established by the National Park Service (NPS) related to local, regional and national prehistory and history.

SEA's preliminary background research found that numerous historic properties are located near the proposed SGR route and alternative alignments that may meet NPS criteria and/or are either listed, eligible, or potentially eligible for listing in the NRHP. SEA also performed a cultural resources site visit of the area on March 27 and April 2, 2003.

Based on all information gathered to date, and as discussed below, SEA determined that SGR's proposed project may impact historic properties and is preliminarily proposing certain measures to treat and/or mitigate or avoid potential adverse impacts to these historic properties.

3.1 Potential Impacts to Known Cultural Resources

SEA's cultural resources assessment preliminarily concludes that the proposed construction and operation of SGR's rail line would not directly impact or affect any known significant cultural resources. SGR states that the proposed route and three alternative routes have been sited as far away from important cultural resources as possible. However, certain cultural resources that make up the communities of Quihi and Upper Quihi could be indirectly affected by the proposed project. A total of 16 late 19th century ruins, cottages, and cemeteries and their associated archeological deposits are located adjacent to, nearby, or within 1000 feet of the proposed route or alternatives and could be indirectly affected by the construction and/or operation of the proposed rail line (see Figure 3). Three mid-20th century residences outside of the Quihi community are located within 1000 feet of either the proposed route or one alternate alignment that may also be affected by the proposed action.

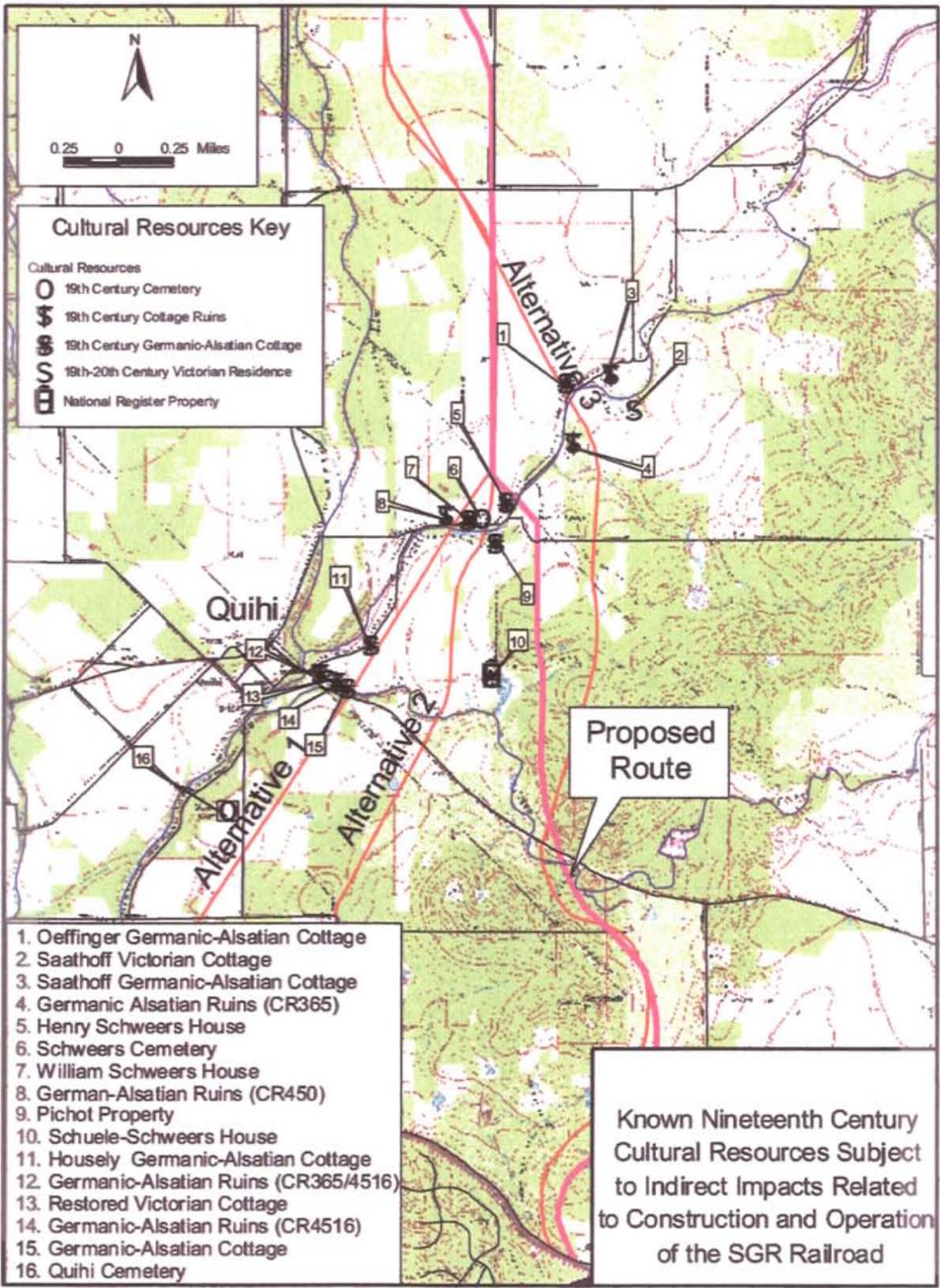


Figure 3. Map Showing the Known 19th Century Cultural Resources Subject to Indirect Impacts Related to Construction and Operation of Proposed Rail Line

The proposed route would affect the least number of known 19th century cultural resources, while Alternative 1 would affect the greatest number of known cultural resources. Alternative 2 or Alternative 3 would affect fewer known 19th century cultural properties than Alternative 1, and slightly more than the proposed route. Potential impacts from rail operations to any of the cultural resources would be indirect impacts in the form of aesthetics, view, vibration, and dust. Indirect impacts to three 19th century cultural resources and two 20th century homes could occur from operations along the proposed route. Eleven of the 19th and 20th century cultural resources could be subject to indirect impacts from operations along Alternative 1. If the Alternative 2 alignment is built, four 19th century cultural resources could be indirectly affected, and if Alternative 3 is built, four cultural resources dating to the 1800s could be indirectly affected.

Table 6. Summary of Potential Impacts to Known Cultural Resources and Their NRHP Eligibility Status

Property	Location	Impact/Route	NRHP Eligibility Status
1. Oeffinger G-A Cottage	CR365	Indirect/A 3	Unknown
2. Saathoff Victorian Cottage	CR365	Indirect/A 3	Potential
3. Saathoff G-A Cottage	CR365	Indirect/A 3	Potential
4. G-A Cottage Ruins	CR365	Indirect/A 3	Potential
5. Henry Schweers House	CR365	Indirect/P, A 1, A2	Eligible
6. Schweers Cemetery	CR365	Indirect/A 1, A2	Unknown
7. William Schweers House	CR365	Indirect/A 1, A2	Eligible
8. G-A Cottage Ruins	CR450	Indirect/A 1	Potential
9. Pichot Property	CR 365	Indirect/P, A 2	Unknown
10. Schuele-Schweers-NRHP	CR365	Indirect/P	Listed
11. Housely G-A Cottage	CR365	Indirect/A 1	Unknown
12. G-A Cottage Ruins	CR4516	Indirect/A 1	Potential
13. Victorian Cottage	CR4516	Indirect/A 1	Unknown
14. G-A Cottage Ruins	CR4516	Indirect/A 1	Potential
15. G-A Cottage (@4311	CR4516	Indirect/A 1	Potential
16. Quihi Cemetery	CR4517	Indirect/A 1	Unknown
17. C. J. Saathoff House	CR 353	Indirect/P	Unknown
18. Farmhouse	CR 353	Indirect/P	Not Eligible
19. Modern Bungalow	CR4545	Indirect/A1	Unknown

G-A=Germanic-Alsatian; CR=County Road; A=Alternate; NRHP=National Register of Historic Places.

3.2 Proposed Route

The construction of the proposed route would not directly impact any known significant cultural resources, including the Schuele-Saathoff House, a property listed on the NRHP. The proposed route avoids direct impacts to any historic properties that are eligible or potentially eligible for listing in the NRHP and/or for designation as a State Archeological Landmark, including the William Schweers House, the Schweers Cemetery, and the Henry Schweers House. SGR states that the historic properties would be preserved in place (see Figure 4).

Vulcan Materials Company (VMC) has donated the Schweers houses to the Schweers Historical Foundation (SHF) (see Figure 5), and has pledged its support of the SHF. The SHF and architects are developing a preservation plan to preserve the buildings in place for use as a museum and meeting place for reunions. The Schweers cemetery is owned by the Schweers family estate, not the SHF or the project sponsor, but will be included in the overall preservation plan for the Schweers properties. The structure located on the Pichot property would also be avoided and would not be directly impacted by construction. All 20th century structures will also be avoided. Any potential impact to any prehistoric archeological sites is not yet known.

The operation of the proposed route has the potential to indirectly impact significant known cultural resources that are eligible or potentially eligible for listing in the NRHP at a minimum of five locations. Cultural resources that could be indirectly impacted by construction and operation of rail along the proposed route are: (1) the Schuele-Saathoff House (NRHP), (2) the Henry Schweers House, (3) the house located on the Pichot property, (4) the C.J. Saathoff House, and (5) the farmhouse on County Road 353. Aesthetic, visual, dust, and vibration impacts could result in the need for treatment to protect the resource and/or for mitigation to ameliorate any loss or alteration of any resource. In addition, the proposed route has the potential to affect unknown sensitive cultural resources, such as family cemeteries, that are associated with 19th century Germanic-Alsatian cottages, or prehistoric sites that could be located along Quihi, Cherry, Elm, or Polecat Creeks.



Minnie Martin Nietenhofer (seated) was born in this pioneer home in 1905. Her grandfather, Wilhelm Schweers, arrived in Quihi in 1856, married Elizabeth Muenick in 1865, and had this home constructed in 1884. Their grandson (Minnie's 1st cousin), Harry Schweers, is seated at the right; her daughter, Bernice Annie Katherine Nietenhofer Lehmberg, is standing at the left; and Minnie's great niece, Carol Elaine White Carpenter, is standing at the right.

Schweers Historical Foundation to receive pioneer homes

The Schweers Historical Foundation announced today that Vulcan Materials Company has agreed to donate two historical Quihi houses and adjoining property to the Foundation. The houses were pioneer homes of the Schweers family, and many descendants of the family are current residents in the area.

Vulcan's commitment was made public at the Foundation's Christmas Open House on Dec. 15, which was held at one of the houses being donated. In an address to the attendees, Tom Ransdell, president of Vulcan's Southwest Division, said: "To be quite honest when we purchased the

Wilhe. Schweers estate, we had no idea of the historical significance of some areas of the property. Over the past year, working with Don and Ray Schoch, Carol Carpenter, Doug Riff, Henry Schweers, Glenn Schweers and Tom Pichot, as well as many other community members, we almost feel as if we are now part of the family. As such, we are dedicated to the success of the Schweers Historical Foundation and to the preservation and restoration of these properties. We will continue to be involved in this project and will provide support to the Foundation. The steps we've made to help get the Founda-

tion 'up and running' are just the beginning."

"We are very grateful to Vulcan Materials Company for making this commitment and look forward to working with them as the company continues to expand in Medina County," said Don Schoch, president of the Schweers Historical Foundation.

The Schweers Historical Foundation, Inc. is a nonprofit, 501(c)(3) charitable organization. It promotes an appreciation of history through the acquisition, restoration and preservation of historical homes and public buildings located in the Quihi area.

Figure 5. Newspaper Account and Photograph of the Board of Directors of the Schweers Historical Foundation on the Occasion of the Transfer of the Deeds to the Historic Schweers Properties from Vulcan Materials Company to the Foundation

3.3 Alternative 1

Alternative 1 would not directly impact any known cultural resources. However, the selection of Alternative 1 has the potential to indirectly impact significant known 19th century cultural resources that are eligible or potentially eligible for listing in the NRHP at a minimum of ten known locations. One early to mid-20th century residence could be impacted. In addition, the Alternative 1 alignment has the potential to indirectly or directly impact unknown prehistoric cultural resources, in areas that have not been inspected by archeologists.

Cultural resources that could be indirectly impacted by operation along Alternative 1 are the: (1) William Schweers House, (2) Schweers Cemetery, (3) Henry Schweers House, (4) ruins on County Road 450, (5) Housely Cottage on County Road 365, (6) the ruins at County Road 4516 and County Road 365, (7) Victorian Cottage on County Road 4516, (8) ruins located at 4311 County Road 4516, (9) occupied cottage at 4311 County Road 4516, (10) Quihi Cemetery on County Road 4517, and (11), the bungalow at County Road 4545. Aesthetic, visual, dust and vibration impacts may result in the need for treatment to protect the resource and/or for mitigation to ameliorate any loss or alteration of the resource.

3.4 Alternative 2

The construction of the railroad following the Alternative 2 alignment would not directly impact any known significant cultural resources. However, the selection of the Alternative 2 alignment has the potential to indirectly impact significant known cultural resources that are eligible or potentially eligible for listing in the NRHP at four locations. In addition, the Alternative 2 alignment has the potential to indirectly or directly impact unknown sensitive cultural resources, such as family cemeteries, that are often associated with 19th century Germanic-Alsatian cottages.

Cultural resources that would be indirectly impacted by the rail operations over Alternative 2 are: (1) the William Schweers House, (2) the Schweers Cemetery, (3) the Henry Schweers House, and (4) the structure on the Pichot Property. Aesthetic, visual, dust, and vibration impacts may result in the need for treatment to protect the resource and or for mitigation to ameliorate any loss or alteration of the resource. The selection of the Alternative 2 alignment also has the potential to indirectly or directly impact unknown prehistoric cultural resources, in areas that have not been inspected by archeologists.

3.5 Alternative 3

The selection of Alternative 3 for construction would not directly impact any known significant cultural resources. However, the selection of Alternative 3 has the potential to indirectly impact significant known cultural resources that are eligible or potentially eligible for listing in the NRHP, at four known locations. In addition, Alternative 3 has the potential to indirectly or directly impact unknown sensitive cultural resources or prehistoric resources in areas that have not been inspected by archeologists.

Cultural resources that will be indirectly impacted by the rail operations over Alternative 3 are: (1) the Oeffinger Cottage, (2) the Saathoff Germanic-Alsatian cottage, (3) the Saathoff Victorian home, and (4) the cottage ruins on County Road 365. Aesthetic, visual, dust, and vibration impacts may result in the need for treatment to protect the resource and or for mitigation to ameliorate any alteration or loss of the resource.

3.6 No-Build Alternative

Under the non-build alternative, the limestone produced by the proposed quarry would be moved by truck rather than rail. The houses along the proposed truck route are generally set further off from the road right-of-way and would be subject to less impact from vibration and noise or other indirect impacts than if the proposed rail line were built. However, any increased volume of weighted truck traffic on County Road 4516 would pass in close proximity to many of the historic properties, particularly ruins and small cemeteries.

As part of the no-build alternative, SGR states that it would build a remote rail loading facility near the Union Pacific Railroad Company (UP) rail line. A review of historic maps indicates that no 19th century structures or ruins are present at the proposed remote rail loading facility locale. The site visit to the proposed rail loading facility locale revealed that the vicinity has been previously disturbed by construction of the UP rail line, modern ranching operations, and recent hunting camp activities. No standing structures were observed on the property from the existing county road. Entry to the property was not available and it was not possible to view the land form for surficial evidence of prehistoric sites, therefore, it is not known what cultural resources evidence may be present inside the tract that may be affected by construction of the remote rail loading facility.

Also observed during the site visit were other modern land use impacts in the vicinity of the proposed remote rail loading facility. The construction of the nearby US Highway 90 overpass has impacted blocks of land near the existing UP rail line. An abandoned gravel pit in the area is a

suitable location for development, due to the absence of historic properties and archeological deposits.

3.7 Potential Impacts Related to Karst Features and Ground Vibrations

The nature of any impacts of the construction and operation of the railroad along the proposed route or the alternative alignments to any karst features present that contain archeological deposits is not known at this time. Known karst features are located near the terminus loop of the railroad above the 950 feet contour along Polecat Creek and Elm Creek. Results of a karst study of the area will be included in SEA's environmental document. The environmental document will also contain the results of a vibration assessment that will evaluate potential impacts to cultural resources. Results from these studies will be incorporated into the draft environmental document, which will be made available for public review and comment.

3.8 Preliminary Recommendations

As mentioned, many of the known cultural resources that are located near the proposed route and alternative alignments have the potential to be eligible for listing in the National Register of Historic Places and for designation as a State Archeological Landmark or a Recorded Texas Historic Landmark. Additionally, the potential for the presence of unknown cultural resources along the proposed and alternative routes is very high due to the early settlement of the Quihi community. For these reasons, SEA preliminarily concludes that additional study by archeologists, historians, historic architects, and/or other scientists and technicians of any rail route selected for development is warranted prior to construction, and during the planning and design stages of the project. Such study could include: 1) visual inspection of the route; 2) shovel testing areas of high probability; 3) inventory and documentation of any cultural resources present; 4) evaluation of the research value of cultural resources present; and 5) formulation of cultural resource management recommendations regarding construction impacts and landmark eligibility status.

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Appendix A
Ostfriesland Immigrants to Medina County:
the "Saathoffsche Kolonie"

The Ostfriesen Pages

Medina County

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Ostfriesland Immigrants to Medina County

Most immigrants from Ostfriesland to the US in the mid 1800s settled in the midwest states, but a small colony settled in Medina County, Texas beginning in early 1846. While the Texas settlers had many of the same reasons for immigrating, the land and conditions they found there were vastly different.

Beginning under Mexican rule and continuing under the Republic of Texas, empresarios were used to settle families in colonies in order to populate new areas. Even after Texas officially joined the Union on Dec. 29, 1845, the original land grants and immigration contracts were still in force.

In 1842 Henri Castro contracted with the government of Texas to settle a colony of 600 French families on two grants, one west of San Antonio along the Medina River. In 1844 a mostly Alsatian contingent settled Castroville.. Later that year, the town to be Quihi was surveyed in anticipation of future settlement. The name Quihi comes from an Indian word for the bird known as the Mexican eagle, as modified by the Spanish, and later by the Germans.

Castro's agents also recruited to the north, and succeeded in convincing some Ostfriesen families to join the colony. Some early settlers of Quihi in 1846 were Louis Boehle, Mimke Mimkin Saathoff and wife Antje Dirks from Aurich-Oldendorf, Focke E. Saathoff and wife Engel Osterman from Holtrop, Gerd Schmidt, and John Henry Gerdes. Many friends and family were to later join them in the "Saathoffsche Kolonie".

The journey of Mimke Saathoff to Medina County is typical of many of the early settlers. They departed from Bremen and sailed for 9 weeks, arriving in Galveston, Texas. During the voyage, a child was born, and died. From Galveston they boarded a smaller vessel for the trip to Port Lavaca, resting there from the journey, *and* to prepare for the journey still ahead. The trip overland by oxcart was arduous, with many streams to cross, and not everyone who set out arrived at the destination. Poisonous snakes, overturned carts, and disease all took their toll.

Once at the settlement, crude shelters were built, some nothing more than mere lean-tos, covered with long native grass. Later, permanent homes were constructed of limestone and sandstone rock walls, quite thick. Most had small windows that doubled as gun ports in case of attack by bandits or Indians. Cultivation of the land began immediately, but was not very successful, due to a lack of tools, freeloading wild animals, and the climate being quite different from that with which they were familiar. They soon learned corn, cotton, sorghum and cattle were the way to go. They may have suffered more from hunger but the Texas Rangers who were stationed there for protection shared their rations and shot game for them. Wild berries, nuts, honey and fish were also part of the diet.

Appendix B
1870 Census New Fountain, Texas



Medina County Texas

1870 New Fountain

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Portion of Medina County US Census, 1870:

USGenWeb
Project



TXGenWeb
Project

Dwelling-houses, numbered in order of visitation.	Families, numbered in order of visitation	The name of every person whose place of abode on first day of June, 1870 was in this family.	Age at last birthday prior to June 1, 1880. If under 1 year, give months in fractions, thus 2/12	Sex - Male, Female	Color - White, Black, Mulatto, Chinese, Indian	Profession
1	2	3	4	5	6	

New Fountain PO, Medina, TX 4 July 1870 page 23

171	165	Balzen, Harm	58	m	w	farmer
		, Antge	27	f	w	keeper
		, Henry	15	m	w	
		, Catharina	14	f	w	
		, Anna	3	f	w	
		, Rohlf	1	m	w	

New Fountain PO, Medina, TX 5 July 1870 page 25

179	173	Balzen, Henry	45	m	w	Farmer
		, Gesche	44	f	w	
		, Mimke	16	m	w	

Saathoff House



Saathoff House

Reference
Number: 82004515

Resource Name: Saathoff House

Other Name: Schuehle-Saathoff House

Address: Quihi-Stormhill Rd.

Restricted:

Owner: PRIVATE

Resource Type: BUILDING

Number of
Contributing 1
Buildings:

Number of
Contributing 0
Sites:

Number of
Contributing 0
Structures:

Number of
Contributing 0
Objects:

Number of Non-
contributing 0
Buildings:

Number of Non-
contributing 0
Sites:

Number of Non-
contributing 0
Structures:

Number of Non-
contributing 0
Objects:

Federal Agency:

Park Name:

Multiple Name:

Nominated
Name: STATE GOVERNMENT

Certification: LISTED IN THE NATIONAL REGISTER

Certification Date: 19820909
 Significance Level: LOCAL
 Significance Name:
 Circa: C
 Significant Year: 1870
 State:
 Cultural Affiliation:
 Architect: Unknown
 Other Description: Germanic-Alsatian
 County: Medina
 City: Quihi
 Applicable Criteria: EVENT; ARCHITECTURE/ENGINEERING
 Area Significance: EDUCATION; ARCHITECTURE
 Architectural Style: OTHER
 Current Function: DOMESTIC
 Criteria Exception:
 Subfunction: SINGLE DWELLING
 Historic Function: DOMESTIC
 Historic Subfunction: SINGLE DWELLING
 Foundation: NONE LISTED
 Wall: TIN
 Roof: LOG
 Other Materials: NONE LISTED
 Other Certifications:
 Other Documentation:
 Period: 1850-1874
 UTM Zone:
 UTM Easting:
 UTM Northing:
 Acreage: 660

Narrative: The well-preserved Saathoff House, located near Quihi in rural Medina County, is a one-and-a-half story, vernacular, limestone cottage constructed in the third quarter of the nineteenth century. This simple and functional, yet charming, residence is a good example of regional Germanic-Alsatian domestic architecture characteristic of Medina County and Central Texas. The design of the rectangular Alsatian-influenced Saathoff House, with five-bay porched front, relatively low-pitched gable roof with end chimneys, and native plastered limestone with lime-sand mortar construction, differs from the characteristic Texas German style houses typical of counties to the north which were settled by immigrants from central Germany. Similar to other Eastern European pioneer Texas dwellings, the architecture of the Saathoff House reflects the limitations of the frontier environment. Its construction which was adapted to the local building materials and climate of Texas, reflects the simple and often rugged way of life German emigrants to Texas faced during the second half of the nineteenth century. In addition to the native limestone, local cypress was employed for wood framing and wood finish work throughout the house, including structural members, flooring, window frames and sash, and doors and door frames.

Approximately 26 feet wide by 41 feet long, the rectangular structure contains a deep inset front porch with at least five, and perhaps six, square wooden posts extending the length of the five bay facade. The low-pitched gabled roof, originally covered with cypress shingles, contains two chimneys with articulated caps rising from the end

masonry walls. A third chimney is located in the southwest kitchen wall of the rear shed extension. While the main portion of the gable roof is covered with corrugated metal, the rear shed extension contains a standing-seam metal roof. Typical of other substantially constructed vernacular German pioneer dwellings, the stonework of the house is of exceptional quality and reflects the mason's excellent craftsmanship and skill. Exterior walls are constructed of hewn stones of various size; sealed together with a plaster made of sand and lime which had been burned from native limestone.

Fenestration of the Saathoff House is symmetrical with single 6/6 rectangular openings with wooden trim appearing on the front facade and northeast side. While the symmetrically balanced front facade contains two single transomed doors flanked by windows on either side, the northeast elevation displays two 6/6 windows and a smaller attic window reached by ladder. Historic photographs reveal that first level windows were originally shuttered and that the southeast side was also pierced by a smaller attic opening.

With the exception of the enclosure of the rear porch ca. 1920 and minor alterations made for the installation of electricity, the structure's original interior has not been changed. The original rectangular interior space is one room deep with three approximately equal sized rooms, two of which contain simple fireplaces with intact wooden mantels. When the rear shed porch was enclosed, both a kitchen and small bedroom were formed and original exterior openings, although somewhat altered, were left intact. All ceilings throughout the house are constructed of beaded ceiling boards and interior walls are plastered. Cypress boards were for flooring in all the rooms.

Structural changes to the house, which have been few and well-executed, have not adversely affected its historic or architectural quality. Perhaps the major alteration of the original structure was the enclosure of the rear south-east porch ca. 1920. Modern aluminum screen doors and windows and siding have since been added to this rear shed extension. According to historic photographs, the structure's five-bay facades were retained, although alterations were made in the size and location of some of the original front and rear windows and doors. Some of the original cypress shakes are still in place under the present tin roof. The chimneys, although located in their original positions, were originally exterior, instead of interior, chimneys. All of these changes, however, are in keeping with the architectural integrity of the home.

Outbuildings on the property originally included a steep gable roofed wood frame barn situated to the southeast of the house and a well at the southwest corner. Both structures, which appear in historic photographs, no longer exist.

The physical condition of the house is fair, while most of the original features of the interior and exterior have remained untouched. Besides reinforcement of the southwest wall, only minor repairs to the wood and stucco are currently needed. Restoration plans, which include general maintenance and returning the structure to its original physical condition, are currently being executed by Mr. and Mrs. E. G. Hendrix, Jr., who purchased the property in 1979. Some of their initial restoration work has included the installation of a plumbing system and new roof. The present owners reside in San Antonio, but intend to furnish the house with antiques and occupy the house as a private residence and vacation home.

The Saathoff House, built ca. 1870, is significant for its historic associations with the early German settlement in the vicinity of Quihi and the Saathoff family, whose members, including Mimke H. Saathoff, Jr., Schweer H. Saathoff, and William N. Saathoff, were instrumental in the establishment of the first free public school system in Medina County. A substantial and rare intact example of vernacular German-Alsatian stone architecture common to this area, the structure has minor additions and few alterations, and exhibits excellent craftsmanship in its stone construction.

The Saathoff House, a typical nineteenth century Alsatian-influenced German domestic stone structure, is located on the south side of Quihi Creek in the community of Quihi, approximately 8 miles east of Hondo. Specifically, the house is situated in the north-west corner of the Nicholas Pingenot Survey No. 9, Abstract 764, a grant of 320 acres which was surveyed on October 11, 1846, for empresario Henry Castro, assignee of Pingenot. Louis Huth, acting as agent for Castro, brought the first ten families, predominantly German, to Quihi in 1846. Surveyed lots were subsequently divided into farms of 640 and 320 acres for each married and single man respectively.

There appears to be no evidence that Castro ever resided on the Pingenot Survey which had passed, by the 1870s, to members of the Schuehle, Schweers, and Saathoff families, all early settlers of Medina County. The earliest history of the Saathoff House has been difficult to document, but according to tradition it was built about 1870 for Henry Schuehle. An 1871 subdivision map shows a house belonging to Schuehle at the same location as the Saathoff House, and structural and stylistic evidence supports post-Civil War era construction. An interesting link with Medina County's early history can be found beneath an oak tree south of the house; it is the grave of a Mrs. Boehle, said to have been killed in an Indian attack.

The Saathoff House was acquired shortly after 1900 by Schweer H. and William N. Saathoff, sons of Mimke, Jr., who had purchased adjoining property some thirty years earlier. Born in Hanover in 1839, Mimke Saathoff came to Texas with his family in 1846 as a member of Castro's Colony. His relatives were involved in the founding of Quihi and instrumental in the formation of the Lutheran Church in Medina County.

In addition to their early community involvement in Quihi, the Saathoffs were closely associated with the establishment of a public education system in Medina County. From 1873 to 1874 Mimke Saathoff, Jr., served as Medina County School Trustee and in 1875 was elected President of the Board of Trustees when a rock schoolhouse was built in Quihi. He donated the land for the erection of one of the first public free schools in Quihi, while his two sons eventually taught in the County school system. William Saathoff, in particular, is remembered for his contributions as a Medina County school superintendent, while Schweer H. recorded Medina County's early history in a series of unpublished articles.

In 1944, after approximately forty-five years of occupation by the Saathoff family, the house ceased to be occupied regularly and began to serve as a hunting lodge and weekend home—a function it continued to serve until 1979, when Mr. and Mrs. E. G. Hendrix, Jr., of San Antonio purchased the property. During this extended period few changes were made to the structure, which has retained not only its architectural integrity, but its significance as the residence of some of the earliest German pioneer families in Medina County.

Architecturally, the house is similar in construction and form to several other German stone pioneer dwellings in the area which have severely deteriorated or been altered beyond recognition. It is the only German house of this period to survive in Quihi in such an unaltered, preserved state. Despite the twentieth century rear enclosed addition to the house and various minor alterations, the Saathoff House retains most of its original fabric and character.

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Peter Flagg Maxson. Interview with Kathy Hendrix, Austin, 1 March 1982.

Appendix D
Photographs of Cultural Resources



**Photograph 1. Photograph Facing North of the William Schweers House
Occupied 1870's-1999**



**Photograph 2. Photograph of the William Schweers House
Showing Front Porch Features**



Photograph 3. Photograph of Cable and Steel Beam Stabilizing System at Northeast Corner of the William Schweers House



Photograph 4. Photograph Facing North of the Barn at the William Schweers House



Photograph 5. Photograph Facing Northwest Showing Schweers Cemetery on CR365



Photograph 6. Photograph of Above-the-Ground Adult Tombstones and Ground-Level Markers for the Children's Graves



Photograph 7. Photograph Showing Henry Schweers House Made of Yellow Native Stone Unique to the Upper Quihi-Area and White Limestone Inlay



Photograph 8. Photograph Facing East of the Housely Cottage (CR365) Near Quihi Creek



**Photograph 9. Photograph of a Typical Quihi-Area Germanic-Alsatian-Style Cottage
Located at 4311**



Photograph 10. Photograph of the Ruins of a Germanic-Alsatian-Style Home Located at 4311 CR4516



Photograph 11. Photograph of a Typical Late 19th Century- Early 20th Century Home on CR 4516



Photograph 12. Photograph of the Ruins of a Building Shown on Early Maps as a Store in the Center of Ouihi at the Intersection of CR365 and CR4516



Photograph 13. Photograph of the Occupied Oeffinger Cottage Showing Front Porch Enclosures and Additions



Photograph 14. Photograph of the Saathoff Residence, a Frame Victorian-Style Home



Photograph 15. Photograph Facing East Showing the 19th Century Saathoff Cottage/Outbuilding



**Photograph 16. Photograph of the Ruins on CR365,
a 19th Century Native Stone Cottage**



Photograph 17. Photograph of the Henry Schweers House, Facing West

Appendix I-3

Draft Section 106 Programmatic Agreement

PROGRAMMATIC AGREEMENT
Between
THE SURFACE TRANSPORTATION BOARD,
THE ADVISORY COUNCIL ON HISTORIC PRESERVATION,
THE TEXAS STATE HISTORIC PRESERVATION OFFICER,
AND
SOUTHWEST GULF RAILROAD
Regarding
SOUTHWEST GULF RAILROAD COMPANY CONSTRUCTION AND
OPERATION OF THE PROPOSED SEVEN MILES OF SINGLE-TRACK
RAILROAD IN MEDINA COUNTY, TEXAS

_____, 2004

WHEREAS, the Surface Transportation Board (STB) administers the Interstate Commerce Act, as amended, and, in connection with rail construction projects, and is responsible for complying with the National Environmental Policy Act (NEPA), and the National Historic Preservation Act (NHPA), 16 U.S.C. Section 470f; and

WHEREAS, Southwest Gulf Railroad Company (SGR) filed a petition with the STB on February 27, 2003, in Finance Docket No. 34284 requesting an exemption from 49 U.S.C. § 10901 and allowing it to construct and operate approximately seven miles of single-track railroad from a planned Vulcan Construction Materials, LP limestone quarry to a connection with the Union Pacific Railroad Company (SGR) rail line near Dunlay in Medina County, Texas (Project); and

WHEREAS, the project may have an effect upon historic properties listed in or eligible for inclusion in the National Register of Historic Places (National Register), and has consulted with the Advisory Council on Historic Preservation (Council), and the Texas State Historic Preservation Officer (SHPO) pursuant to Section 800.14 of the regulations (36 CFR Part 800) implementing Section 106 of the NHPA; and Section 110(f) of the same Act (16 U.S.C. Section 470h-2(f)); and

WHEREAS, the STB has consulted with Federally recognized Tribes that may attach religious and cultural significance to historic properties that may be affected by the Project in accordance with 36 CFR § 800.2 (c)(2)(B)(ii), and has invited the Comanche Nation of Oklahoma, the Wichita and Affiliated Tribes of Oklahoma, the Kiowa Tribe of Oklahoma, and the Mescalero Apache Tribe to concur¹ in this Agreement; and

¹ Pursuant to 36 CFR Section 800.6(c)(3), other parties may be invited to concur in agreements. They do not have the rights to amend or terminate an agreement. Their signature simply shows that they are familiar with the terms of the agreement and do not object to it.

WHEREAS, the STB has identified additional consulting parties including the Honorable Henry Bonilla, Mr. Archie Gerdes, the Medina County Environmental Action Association, the Medina County Historical Commission, the Quihi and New Fountain Historical Society, the Schweers Historical Foundation, and the Tap Pilam-Coahuiltecan Nation of Texas and has asked them to concur in this agreement; and

WHEREAS, STB has prepared a draft Environmental Impact Statement (DEIS), *Finance Docket No. 34284 Southwest Gulf Railroad Company - Construction and Operation Exemption, Medina County, TX*, in which identification of historic properties within 1000 feet of the proposed corridor and Alternatives 1, 2 and 3 has been completed for the purposes of comparing impacts to historic properties within each alternative; and

WHEREAS, the definitions in 36 CFR Part 800 are applicable throughout this Agreement;

NOW THEREFORE, the STB, the Council, the SHPO and SGR agree that upon any final approval of the SGR Petition by the STB, this Agreement shall be implemented in accordance with the following stipulations:

Stipulations

The STB shall ensure that STB and SGR implement the following stipulations for consideration of historic properties within the Approved Corridor:

I. Area of Potential Effects (APE)

- A. SGR, in consultation with the STB and the SHPO, will develop the APE of the Project in accordance with 36 CFR § 800.4 and 800.16(d) that takes into consideration historic properties for the corridor that the STB, following completion of the NEPA process, approves for construction of the SGR (the Approved Corridor).
- B. The APE will include, but not be limited to, the Approved Corridor and, if any, associated construction staging areas.
- C. The APE will include, but not be limited to consideration of potential visual, vibration, noise and project-induced flooding effects, potential effects of dividing a cultural resource or associated cultural resources, and potential future development effects that may be encouraged by the Project. In order to accommodate the APE for the Approved Corridor SGR will conduct at minimum an intensive cultural resource survey within 300 feet on either side of the right of

way of the Approved Corridor, and a reconnaissance survey within 1200 feet on either side of the right of way. The APE will be adjusted to include said 1200 foot corridor if the right of way is adjusted as a result of final engineering or the avoidance of cultural resources.

II. Scope of Work (SOW)

In consultation with the STB and the SHPO, SGR will develop the SOW to implement the provisions of Paragraphs 1, and 3 through 9 of this Agreement. The SHPO must approve the SOW prior to initiation of fieldwork.

III. Identification and Evaluation of historic properties

A. Prior to construction, SGR will retain qualified personnel as defined in Stipulation VI of this Agreement. Qualified personnel of the appropriate profession will conduct archeological and architectural surveys within the APE to locate archeological sites, buildings or other structures, objects or districts that may be eligible for listing in the National Register. STB will ensure that:

1. The work will be conducted in compliance with the Secretary of the Interior's *Standards and Guidelines for Archeology and Historic Preservation*, 48 Fed. Reg. 44716, September 29, 1983 ("Secretary's Standards");
2. Prior to the field survey, the qualified architectural survey personnel will consult the SHPO's in-house files on cultural resources in the survey areas; and
3. Any archeological sites, buildings or other structures, objects or districts located during the survey will be evaluated for eligibility for listing in the National Register in accordance with 36 CFR § 800.4. SGR will also consider other applicable State of Texas laws, standards, and guidelines related to historic properties report documentation, specifically, the Antiquities Code of Texas, Title 9, Chapter 191 of the Texas Natural Resource Code; Rules of Practice and Procedure Chapter 26.24 and Chapter 26.25, and the Texas Historical Commission's Minimum Archeological Survey Standards, in accordance with 36 CFR § 800.4(b) (1).

B. SGR will submit to STB a report that meets the Secretary's Standards for Identification, Archeological Documentation and Historical Documentation. The report shall include but not be limited to all of the following:

1. Documentation of the survey results:

- a. For buildings and other structures, objects and districts, the documentation will include the following for the areas of intensive survey, within 300 feet on either side of the right of way of the Approved Corridor, for any property over 45 years old:
 - i. A map showing the location of the property in relation to the Approved Corridor;
 - ii. Date of construction;
 - iii. Clear photographic prints, including at least one front elevation and one oblique view of each property surveyed, and area or streetscape views in potential districts;
 - iv. Dates and descriptions of major alterations; and
 - v. Research on historical associations.

- b. For buildings and other structures, objects and districts, the documentation will include the following for the areas of reconnaissance survey, outside 300 feet on either side of the right of way, but within 1200 feet on either side of the right of way of the Approved Corridor, for any property over 45 years old:
 - i. A map showing the location of the property in relation to the Approved Corridor; and
 - ii. Clear photographic prints, including at least one front elevation of each property surveyed, and area or streetscape views in potential districts.

2. Identification of historic and prehistoric archeological sites, buildings and other structures, objects, districts, traditional cultural properties, and cultural or historic landscapes located during the survey that may be eligible for listing or listed in the National Register;

3. Recommendations regarding National Register eligibility of sites, structures, objects and properties identified in 2 above; and

4. Recommendations and descriptions on findings of potential Project effects on potentially eligible historic and prehistoric archeological sites, buildings and other structures, objects, districts.

- C. The STB will review the report and provide copies to the SHPO, Federally recognized Tribes, STB approved consulting parties and the Council for their review and comment. The signatories to this Agreement, Federally recognized Tribes, and STB approved consulting parties shall have 30 calendar days from the time of receipt to respond to the report.

- D. The STB in consultation with the SHPO will finalize determinations of eligibility in a manner consistent with 36 CFR § 800.4(c) and shall direct SGR to make any required revisions to the report. STB will distribute the final

report to the Federally recognized Tribes, STB-approved consulting parties and signatory parties.

IV. Assessment of Adverse Effect

Adverse effects to any archeological sites, buildings, structures, objects or districts determined to be eligible for listing in the National Register (historic properties) shall be determined by STB in consultation with the SHPO using the Criteria of Adverse Effect, as described at 36 CFR § 800.5.

V. Resolution of Adverse Effects

A. SGR will develop in consultation with the STB and the SHPO, an effects resolution plan (Resolution Plan) that will address adverse effects on historic properties. The Resolution Plan will be developed in accordance with 36 CFR § 800.6 and will include but not be limited to the following:

1. Identification of historic properties in the APE;
2. Description of the nature of effects on each historic property, based on the proposed Project design, vibration, noise, project-induced flooding, anticipated use and development, and other studies or information as necessary to identify the scope and intensity of effects. Results of studies undertaken pursuant to this section will be provided for review upon request to signatories, and summaries of each study will be included in the Resolution Plan;
3. Strategies proposed to avoid, minimize or mitigate effects of the undertaking;
4. Consideration of measures identified by Federally recognized Tribes for mitigation of adverse effects to properties that are determined to be significant for their traditional cultural values; and
5. Documentation of comments from the consulting parties.

B. In consultation with the consulting parties and signatories to this Agreement, SGR will develop specific procedures to preserve historic properties in place and avoid adverse effects in accordance with the Resolution Plan. Procedures to be considered shall include, but not be limited to, avoidance by re-routing the railroad alignment around the historic property where feasible, and/or monitoring of archeological or tribal historic properties by archeologists or Tribal representatives.

- C. In regard to archeological resources, in the event that avoidance is not feasible and data recovery is determined by STB in consultation with the signatories to this Agreement to be the most prudent and feasible treatment option, the research design proposed in the Resolution Plan shall specify, at a minimum:
1. The archeological resources to be affected and the nature of those effects;
 2. The research questions to be addressed through data recovery, with an explanation of their relevance and importance;
 3. Data needed to address specific research questions, the likelihood that this data can be recovered and how the data will be analyzed;
 4. Fieldwork and analytical strategies to be employed, with an explanation of their relevance to the research question;
 5. Proposed methods of dealing with individual discovery situations;
 6. Methods to be used in data management and dissemination of data, including a schedule;
 7. How findings will be presented to support the research design;
 8. Proposed repatriation of recovered materials and records including the disposition of Native American sacred items, human remains and grave goods;
 9. Proposed methods for disseminating results of the work, including plans for educating the general public. Public involvement may include site tours during excavation, preparation of educational materials for use in local schools, development of an entry on the Texas Beyond History web site, or some other means of disseminating information in a form that can be easily understood by the general public.
 10. Proposed methods by which Federally recognized Tribes and STB approved consulting parties will be kept informed of the work and afforded an opportunity to participate; and
 11. Proposed schedule for the submission of progress reports to the STB and other Signatories to this Agreement.
- D. The archeological data recovery plan shall be incorporated as part of the Resolution Plan and shall be consistent with the Secretary's Standards and take into account the Council's publication, *Treatment of Archaeological*

Properties: A Handbook (Advisory Council on Historic Preservation 1980), subject to any pertinent revisions the Council may make in the publication prior to completion of the data recovery plan, and the SHPO's guidance.

- E. In regard to buildings and other structures, objects and districts, in the event that avoidance of adverse effects to historic properties is not feasible, the Resolution Plan shall propose measures to minimize or mitigate potential adverse effects on historic properties.
1. Minimizing actions to be considered shall include but are not limited to the following:
 - a. With regard to noise effects, a plan to meet the *Secretary of the Interior's Standards for the Treatment of Historic Properties* that is developed in consultation with the SHPO.
 - b. Landscaping to obscure intrusive features and natural vegetation management. The STB and SGR will ensure that mitigation landscaping, if any, is done in accordance with a landscaping plan designed in consultation with the SHPO.
 2. The STB and SGR will ensure that for any historic property that is proposed to be moved or demolished, the Resolution Plan includes at a minimum, the following information:
 - a. If demolition is proposed, the Resolution Plan will substantiate the reason(s) that demolition cannot be avoided and that avoidance, minimizing of potential effects or moving are not possible;
 - b. The Resolution Plan will propose an appropriate level of documentation, equivalent to Historic American Buildings Survey (HABS) or Historic American Engineering Record (HAER) documentation level I, II or III for each historic property that will be moved or demolished. All documentation must meet the Secretary of the Interior's Standards for Architectural and Engineering Documentation;
 - c. The STB and SGR will ensure that any historic property that will be moved is properly secured and protected from damage during the period it is unoccupied; and
 - d. If a historic property will be demolished, the Resolution Plan will include a provision for salvage of significant features and materials, where appropriate.

- F. The STB and SGR in consultation with the SHPO will finalize the Resolution Plan and carry out its terms and the terms of this Agreement. The Resolution Plan will be considered final when the STB and the SHPO agree in writing that the Resolution Plan is final. STB will distribute the final Resolution Plan to the Federally recognized Tribes, consulting parties and signatory parties.
- G. In regard to buildings and other structures, objects and districts, the STB and SGR will ensure the following are carried out prior to moving or demolition of any historic property:
1. Any historic property that will be moved or demolished will be documented equivalent to the HABS or HAER level and to meet the Standards for Architectural and Engineering Documentation as specified in the final Resolution Plan. STB and SGR will provide a draft copy of any documentation developed pursuant to this stipulation to the SHPO for review and comment, and will take the SHPO's comments into account in revising the documentation for resubmission to the SHPO.
 2. For any historic property proposed to be moved, the following will be provided to the SHPO to demonstrate the appropriateness of the proposed new site:
 - a. Photographs of the historic property on its existing site;
 - b. Photographs of the proposed new site;
 - c. A map of the existing site; and
 - d. A map of the proposed site.
 3. STB and SGR will take the SHPO's comments into account in reaching a final decision about the proposed site for moving a historic property. Before the historic property is moved, the STB and SGR will ensure that the property is documented in its original setting and context in accordance with the documentation level specified in the Resolution Plan, and that the documentation is accepted by the SHPO in writing. STB and SGR will further ensure that the historic property is moved in accordance with *Moving Historic Buildings* (John Obed Curtis, 1975, International Association of Structural Movers) in consultation with the SHPO, by a professional mover who has the capability to move historic structures properly.
 4. Within 90 days of moving a historic property, the STB and SGR will afford the SHPO the opportunity to evaluate the property for National Register eligibility on its new site.

5. STB and SGR will ensure that the documentation specified in the final Resolution Plan is accepted in writing by the SHPO prior to the moving or demolition of any historic property.
- H. The SHPO shall have 30 calendar days from the time of receipt to respond to the draft Resolution Plan or other documentation submitted pursuant to this stipulation or to the resolution of project effects. Failure of the SHPO to comment within 30 calendar days shall be deemed by the STB to constitute acceptance of the documentation submitted. The STB's and SGR's responsibility to carry out all other actions subject to terms of the Agreement or final Resolution Plan that are not the subject of documentation submitted remain unchanged.
- I. No Project work that would cause an adverse effect to a historic property, including, but not limited to demolition or moving, may begin until all terms of the Resolution Plan for that property have been completed.

VI. Professional Qualifications

All work shall be implemented and all documents prepared by personnel meeting the appropriate professional qualifications set forth in the Secretary of the Interior's Professional Qualification Standards (48 FR 44738-9).

VII. Reporting

Any reports generated under the terms of this Agreement will be submitted by SGR in draft to the STB, the SHPO, Federally recognized Tribes, and STB-approved consulting parties for review and comment. The SHPO, Federally recognized Tribes, and STB-approved consulting parties will have 30 calendar days following receipt of the draft report to respond to the STB. The STB will review SGR's revisions of the draft report, and will ensure that SGR considers all comments in revising the draft report before STB approves a final draft of the report. STB will further ensure that SGR provides a copy of the final report to the SHPO, consulting parties and STB. Failure to respond within the review time frame specified herein (30 calendar days) shall be deemed by the STB to constitute acceptance of the draft report and shall not preclude the STB from issuing the report in final form. Objections to the final report will be handled pursuant to Stipulation X for objections by signatories to this Agreement, and pursuant to Stipulation XI for objections by the public or consulting parties.

VIII. Treatment of Human Remains

Should any human remains and associated funerary objects be encountered during the implementation of cultural resources studies or during construction or operation of the Project, they will be treated in accordance with procedures

.consistent with the Council's "Policy Statement Regarding the Treatment of Human Remains and Grave Goods" and applicable state laws.

IX. Curation of Artifacts and Records

SGR shall be responsible for the curation of all documentation and materials resulting from implementation of the Agreement. Cultural materials and records resulting from archeological investigations performed pursuant to the Agreement will be curated at a curatorial facility in accordance with applicable requirements of 36 CFR Part 79 and in consultation with the STB and SHPO. Materials, if any, found on land owned by SGR will be sent to an appropriate curatorial facility. STB will encourage private landowners to curate collections from their land, if any, in an appropriate facility. In the event that materials are found on private land not owned by SGR, SGR will provide the STB, the SHPO and the landowners with a list of any collected artifact finds from their lands. Materials from private lands, if any, to be returned to private landowners will be maintained in accordance with 36 CFR Part 79 until any specified analysis is complete. Documentation of the return of these materials to the private landowner shall be prepared by SGR and submitted to STB with a copy to the SHPO.

X. Dispute Resolution

Should any signatory to this Agreement object at any time to any actions proposed or the manner in which the terms of the Agreement are implemented, the STB shall consult with the objecting party (ies) to resolve the objection. If within 30 days of initiating such consultation the STB determines that the objection(s) cannot be resolved, the STB will:

- A. Forward all documentation relevant to the dispute to the Council in accordance with 36 CFR § 800.2(b)(2). Upon receipt of adequate documentation, the Council shall review and advise the STB on resolution of the objection within 30 calendar days. Any comment provided by the Council, and all comments from the signatories to the Agreement, will be taken into account by the STB in reaching a final decision regarding the dispute.
- B. If the Council does not provide comments regarding the dispute within 30 calendar days after receipt of adequate documentation, the STB may render a decision regarding the dispute. In reaching its decision, the STB will take into account all comments regarding the dispute from the signatories to the Agreement.
- C. Notwithstanding the above, disputes concerning site eligibility shall be referred for resolution to the Keeper of the National Register for resolution.
- D. The STB's responsibilities to carry out all other actions subject to terms of the Agreement that are not the subject of the dispute remain unchanged. The

STB will notify all parties of its decision in writing before implementing that portion of the undertaking subject to dispute under this stipulation. The STB decision will be final.

XI. Resolution of Public Objections

At any time during implementation of the measures stipulated in this Agreement, should an objection pertaining to this Agreement be raised by a member of the public, STB shall notify the parties to this Agreement and take the objection into account, consulting with the objector and with the parties to this Agreement to resolve the objection.

XII. Amending the Agreement

If any signatory to this Agreement determines that its terms will not or cannot be carried out or that an amendment to its terms must be made, that party shall immediately consult with the other signatory parties to develop an amendment to the Agreement. The amendment will be effective when signed by all signatories. The execution of any amendment shall follow the procedures in 36 CFR Part 800.13.

XIII. Terminating the Agreement

This Agreement may be terminated by any signatory by providing the other parties 30 days written notice. The parties shall consult during the period prior to termination of participation to seek agreement or amendments or other actions that would avoid termination. Within 30 calendar days following termination, the STB shall request the comments of the Council under 36 CFR § 800.7(a) and proceed accordingly.

XIII. Expiration

The term of this Agreement shall be three (3) years from the date of execution by the Council unless terminated earlier pursuant to Stipulation XIII.

EXECUTION of this Agreement by the STB, the Council, and the SHPO and implementation of its terms, evidence that the STB has afforded the Council and the SHPO an opportunity to comment on the construction and operation of the proposed Project and its potential effects on historic properties, and that the STB has taken into account the effects of the construction of the proposed Project on historic properties, thereby satisfying its NHPA Section 106 responsibilities for the undertaking.

SIGNATORY PARTIES:

SURFACE TRANSPORTATION BOARD

By _____ Date: _____

Printed Name: _____

Title: _____

ADVISORY COUNCIL ON HISTORIC PRESERVATION

By _____ Date: _____

Printed Name: _____

Title: _____

TEXAS STATE HISTORIC PRESERVATION OFFICER

By _____ Date: _____

Printed Name: F. Lawrence Oaks

Title: SHPO, Executive Director, Texas Historical Commission

SOUTHWEST GULF RAILROAD

By _____ Date: _____

Printed Name: _____

Title: _____

Concur:

THE HONORABLE HENRY BONILLA

By _____ Date: _____

Printed Name: _____

Title: _____

COMANCHE NATION OF OKLAHOMA

By _____ Date: _____

Printed Name: _____

Title: _____

ARCHIE GERDES

By _____ Date: _____

Printed Name: _____

Title: _____

KIOWA TRIBE OF OKLAHOMA

By _____ Date: _____

Printed Name: _____

Title: _____

MEDINA COUNTY ENVIRONMENTAL ACTION ASSOCIATION:

By _____ Date: _____

Printed Name: _____

Title: _____

MEDINA COUNTY HISTORICAL COMMISSION

By _____ Date: _____

Printed Name: _____

Title: _____

MESCALERO APACHE TRIBE

By _____ Date: _____

Printed Name: _____

Title: _____

QUIHI AND NEW FOUNTAIN HISTORICAL SOCIETY

By _____ Date: _____

Printed Name: _____

Title: _____

SCHWEERS HISTORICAL FOUNDATION

By _____ Date: _____

Printed Name: _____

Title: _____

TAP PILAM-COAHUILTECAN NATION OF TEXAS

By _____ Date: _____

Printed Name: _____

Title: _____

WICHITA AND AFFILIATED TRIBES OF OKLAHOMA

By _____ Date: _____

Printed Name: _____

Title: _____

Appendix I-4

Technical Memorandum

**TECHNICAL MEMORANDUM:
Supplement to the Preliminary Cultural Resources Assessment**

**STB Finance Docket 34284 -- Southwest Gulf Railroad Company --
Construction and Operation Exemption -- Medina County, TX**

Prepared by:

Daniel F. Cassidy, RPA
URS Corporation
9400 Amberglen Blvd.
Austin, Texas, 78729

September 2004

1.0 INTRODUCTION

This report provides a summary of cultural resource issues associated with the proposed Southwest Gulf Railroad (SGR) project in Medina County, Texas. The current document is a supplement to the *Preliminary Cultural Resources Assessment* that was prepared by the Surface Transportation Board's (STB) Section of Environmental Analysis (SEA) in October 2003.

As part of SEA's environmental review and pursuant to the section 106 process of NHPA, SEA is assessing the potential impacts SGR's proposed project could have on cultural resources. Review of the October 2003 *Preliminary Cultural Resources Assessment* by SEA staff and consulting parties to the Section 106 process identified several cultural resource issues in need of additional research and evaluation prior to finalization of the environmental documentation. The results of the additional research are presented in the report in hand. The additional research focused on SGR's proposed route, Alternative 1, Alternative 2, and Alternative 3. As described in more detail below, some additional background research was also conducted for the Medina Lake Dam alternative and the no-action alternative. In general, the additional research included the following tasks:

- Field checking the location and condition of potential historic structures, ruins, and cemeteries associated with the project (including both nineteenth and twentieth century resources),
- Compiling additional information on prehistoric archaeological sites that may be in or near the project corridor,
- Conducting a field reconnaissance of the project area to field-verify reported archaeological sites and delineate archaeologically sensitive zones and,
- Preparing updated maps that accurately summarize the cultural resource issues associated with each alternative.

2.0 RESEARCH CONDUCTED

The goal of the additional research was to identify known cultural resources within the Area of Potential Effect (APE) previously defined for each of the alternatives (1000 feet either side of the rail alignments) and to make an evaluation of the potential for the APE to contain unknown cultural resources (see Figure 1). The intent was to complete the cultural resources studies to a reconnaissance survey level. Subsurface survey for archaeological sites, additional identification activities, and mitigation studies may be completed later as part of a draft programmatic agreement (PA) with the STB, the Advisory Council on Historic Preservation (ACHP), the Texas Historical Commission (THC), and SGR. However, in combination with the previous report, the research presented in this addendum presents sufficient information to allow an assessment of above-ground historic resources within the APE of the alternatives and to make some predictions about the archaeological potential of the project area.

The additional research was conducted by Daniel Cassedy of URS in June of 2004 and began with a review of all information presented in the *Preliminary Cultural Resources Assessment*, additional follow-up research conducted by SEA, plus all supplemental information that was submitted to the SEA by consulting parties and concerned citizens following review of the first report. In addition, the recent studies included re-examination of all data currently contained in the Texas Historic Sites Atlas online database as of June 2004. Research in Texas was conducted during the week of June 7 through June 11. One day was spent in Austin, Texas conducting research in the library of the Texas Historical Commission. Files examined here included National Register archives, historic marker files, archaeology reports, and general county history files containing assorted maps, clippings, and publications.

June 8 through June 11 were spent in the project area in Medina County. On June 8, a tour of the overall project area was provided by Darryl Brownlow, consultant to SGR. All roads adjacent to or intersecting with all project alternatives were driven and the locations of all road crossings were identified. On June 9, Cassedy met with Robert Fitzgerald of Medina County Environmental Action Association to review historical information compiled by that organization, and Mr. Fitzgerald also provided a tour of the Quihi area to point out cultural resources possibly associated with the project. The remainder of June 9 was spent conducting pedestrian inspections of accessible areas near creek and road crossings in the southern portion of the general project area (see Figure 1). This was a general reconnaissance to examine reported archaeological sites and areas of potential archaeological sensitivity within the APE.

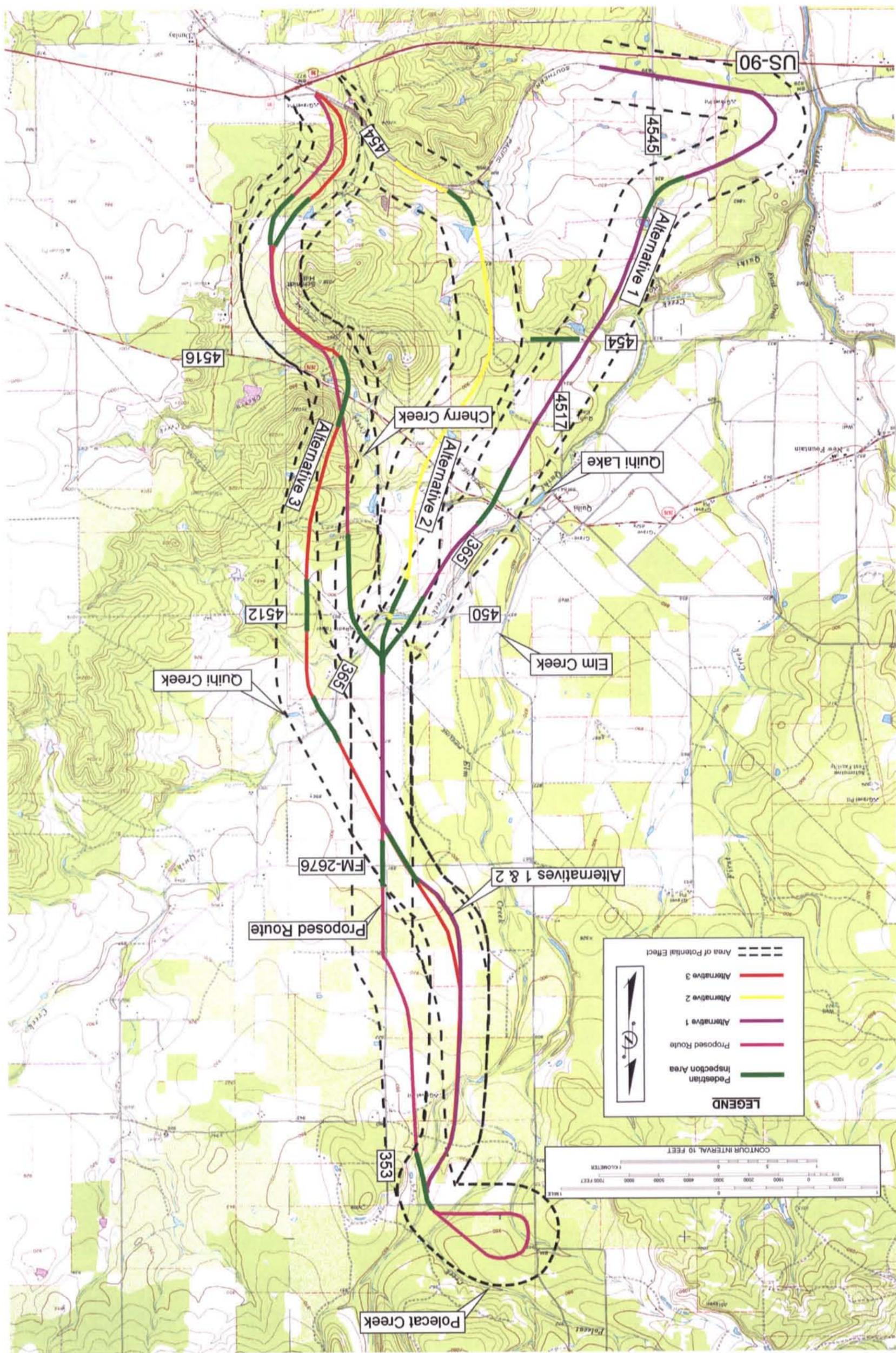


Figure 1. Location of Field Inspection Areas Along the Project Corridors

On June 10, Cassidy met with Glenn and Cynthia Lindsey, who own land that would be crossed by the proposed route on the east side of Quihi Creek. They provided a tour of resources on or near their property, including the National Register Schuele-Saathoff house, archaeological site 41ME133, and a large stone wall. They also shared information on sites and structures in the area and displayed photographs of the artifact collection given to them by the late Buddy Mangold. The remainder of this day and the next day was spent conducting field inspections in the northern half of the project area and taking photographs of historic resources located near the project alternatives. During the various episodes of field reconnaissance, a hand-held GPS unit was used to record the location of all areas inspected, photographs taken, and resources identified.

Intermittent heavy rains were experienced on most days of the research trip. This did not generally limit the fieldwork, except for a small area near the southern end of Alternative 1. It was not possible to visit the locations of two reported resources (Schorobiny house ruins and a Schorobiny family cemetery – labeled as Resources CC and DD later in this report) because flash flooding in nearby creeks made the road crossings inaccessible. Neither of these two resources would be directly impacted by Alternative 1.

During the trip to the project area, additional visits and phone consultations were made with a number of landowners and persons knowledgeable about the history of the area, including Judy Dittmar, Archie Gerdes, and Necey Schulte. Additional information was gained from e-mail correspondence and conversations with Dr. Thomas Hester, a professional archaeologist who has been conducting research in the Quihi area on the Mangold and Lindsey properties.

Chapter 3 presents a compilation of information about historic period resources associated with the project, including standing structures, structural ruins, and cemeteries. Chapter 4 then discusses archaeological sites identified in the region and reviews the archaeological potential of the project corridors. Chapter 5 concludes the report with a summary of the potential cultural resource impacts associated with the project and recommendations for additional studies.

3.0 KNOWN & POTENTIAL HISTORIC PERIOD RESOURCES

3.1 Brief Summary of the Historic Context for the Project Area

The Preliminary Cultural Resources Assessment already presented a historic context for the project area. A brief summary of that context is presented here to facilitate review of the known historic resources.

Although Spanish explorers and traders are known to have passed through the general region in the seventeenth century, and San Antonio de Bexar was established in 1719, the Quihi area does not appear to have had a permanent European settlement during the Spanish and Mexican period. Texas gained its independence from Mexico in 1836, and the new republic focused on attracting new settlers to what was then the western frontier (Ochoa 1996).

In 1842 a Frenchman named Henri Castro arranged to settle a colony of European immigrants west of San Antonio along the Medina River (Bishop 1996). In 1844 a contingent dominated by Alsatians settled Castroville. Later that year, the town that was to be Quihi was surveyed west of Castroville in anticipation of future settlement. Back in Europe, Castro's agents also recruited to the north of Alsace, and they succeeded in convincing some families from Ostfriesland to join the colony and settle in Quihi in the late 1840s (Adams 2003).

The town was founded by ten families, including the Brucks, Heyen, Muennink, Pichot, Schweers, Schuele, and Saathoff families, but it continued to grow with the addition of new Germanic immigrants (STB 2003:15). After the Civil War, Germanic immigrants increased in number in the county, and by 1870 they comprised the majority of the inhabitants in the county (Castro Colonies Heritage Association 1983).

The first settlements focused around Quihi Lake, and as the community expanded, additional houses were built to the northeast and southwest of the lake along Quihi Creek, which provided a reliable water source in the days before well drilling technology was available to tap the deep aquifers. The settlers built distinctive homes of local limestone with features reminiscent of building traditions they had known previously in Europe (Echols 2000). Throughout this report, these stone structures are referred to as "Germanic-Alsatian" houses to reflect their unique hybrid vernacular architectural style that originated from the settlers from the Alsace and Ost-Friesland regions of northern Europe. Most of the surviving examples near the project area are believed to have been built between the 1850s and the 1880s (STB 2003; THC 2004).

3.2 Known & Potential Historic Period Resources

The inventory was compiled of known or potential historic structures, ruins, and cemeteries located within the APE of the proposed and alternative routes. It has been compiled from the data sources described previously, and the locations of the historic resources listed have been field checked to the extent possible (as noted previously, flash flooding during the field reconnaissance limited access to the locations of three reported resources near the southern end of Alternative 1).

Figure 2 depicts the location of all of these historic resources in relation the potential rail routes and APE. Brief descriptions and photos of these resources are provided following Figure 2 and, in general, the presentation proceeds from north to south along the rail route (in the resource descriptions, “G-A” means “Germanic-Alsatian”).

Research to date has identified 30 historic period resources associated with the project. This total includes 18 Germanic-Alsatian stone buildings (11 still standing with roofs, and 7 partially collapsed ruins). Most of these stone structures are houses, but several also appear to have served other functions such as a store, courthouse, and barn. The total also includes two late nineteenth century Victorian frame houses, four early twentieth century vernacular frame houses, one early twentieth century masonry barn, one stone wall, and four cemeteries (two family cemeteries, one community cemetery, and one reported early twentieth century Native American cemetery). The distribution of these resources in relation to the proposed rail route and alternatives is discussed in Section 5.

One of the 30 historic resources is listed on the National Register of Historic Places (the Schuele-Saathoff House), but none of the other 29 resources have been formally evaluated for National Register eligibility status. Many of the other Germanic-Alsatian stone buildings are probably individually eligible for the National Register, and the entire community of Quihi may be eligible as a Rural Historic Landscape (see Chapter 5).

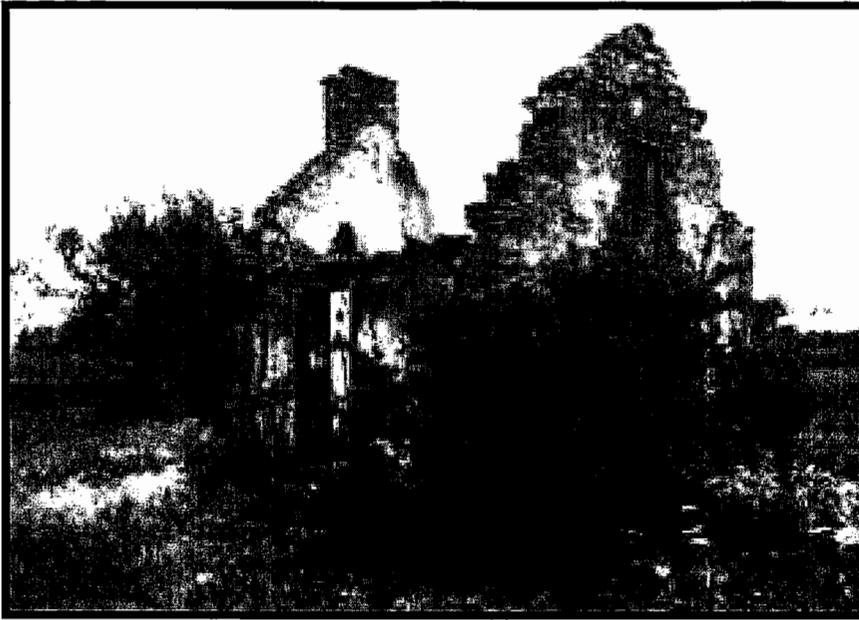


Figure 28. *Resource CC.*

Resource CC. Reported Schorobiny G-A house ruins, located west of Alternative 1 on the south side of CR454. Access to this location was not possible due to high water at nearby creek crossings, so it has not been verified during the current project. The photograph in Figure 28 is taken from a survey form in the Texas Historic Sites Atlas (#NRS79-21841) that apparently recorded the ruins in 1972.

Resource DD. Reported Schorobiny family cemetery, located west of Alternative 1 on the east side of CR4545. No photo (Access to this location was not possible due to high water at nearby creek crossings, so it has not been verified).

3.3 Historic Period Archaeological Site Sensitivity

No historic period archaeological sites have been recorded for the project area (although a number of the Germanic-Alsatian house ruins are quickly becoming archaeological sites). It should be assumed that historic archaeological deposits may be associated with any of the structures inventoried. Houses and farmsteads are likely to contain a variety of associated features and structures such as barns, privies, trash middens, etc.

Since a systematic field survey has not yet been conducted, it is likely that there are historic archaeological sites obscured by soil and vegetation that have not yet been identified. Although the specific locations of such sites are not known, the general areas in which they are likely to be located can be predicted based on historic maps and knowledge of the historic settlement pattern in Quihi. The majority of historic period archaeological sites are likely to be located reasonably close to the historic road network, and the historic settlement in this area also was concentrated around Quihi Creek and along Quihi Creek for best access to reliable water.

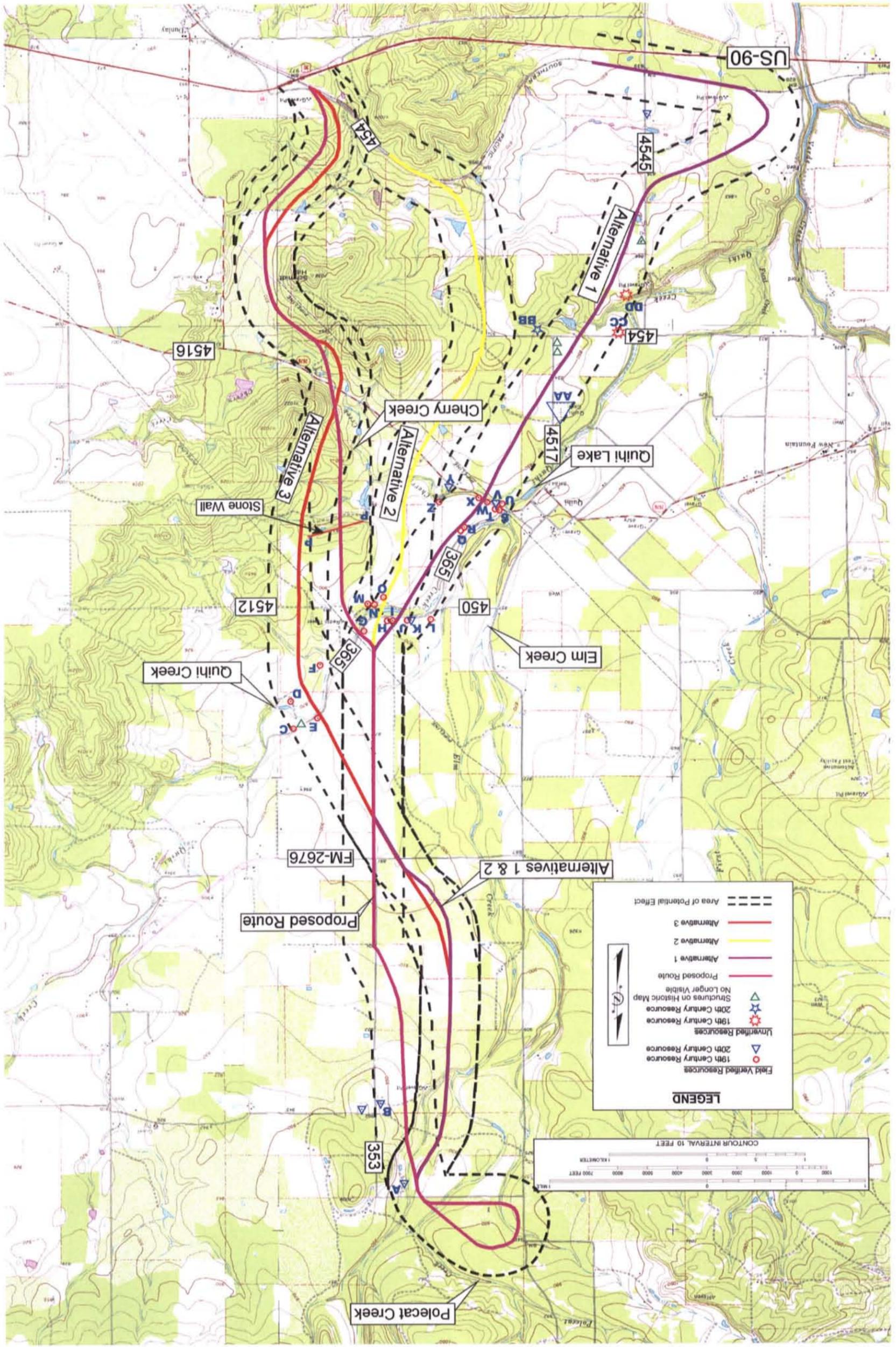


Figure 2. Location of Known and Potential Historic Period Resources Within 1000 Feet of the Project Corridors



Figure 3. Resource A.

Resource A. Saathoff 20th century frame house (pre-1936), east of proposed route, west of CR353. Photo by SGR, March 2004.



Figure 4. Resource B.

Resource B. Dittmar 20th century frame house (pre-1936), east of proposed route, west of CR353. Photo by SGR, March 2004.



Figure 5. Resource C.

Resource C. Saathoff G-A house, located east of Alternative 3 on the east side of CR365. Photo by SGR, March 2004.



Figure 6. Resource D.

Resource D. Saathoff Victorian house, located east of Alternative 3 on the east side of CR365. Photo by SGR, March 2004.



Figure 7. Resource E.

Resource E. Oeffinger G-A house, located adjacent to Alternative 3 on the west side of CR365. Photo by SGR, March 2004.



Figure 8. Resource F.

Resource F. G-A house ruins, located west of Alternative 3 on the east side of CR365. Photo by SGR, March 2004.



Figure 9. Resource G.

Resource G. Henry Schweers G-A house, located adjacent to the Proposed Route on the west side of CR 365. Photo by SGR, March 2004.



Figure 10. Resource H.

Resource H. Schweers/Balzen Cemetery, located between Alternatives 1 and 2 on the west side of CR 365. Photo by SGR, March 2004.



Figure 11. Resource I.

Resource I. William Schweers G-A house, located adjacent to Alternative 1 on the west side of CR 365. Photo by SGR, March 2004.



Figure 12. Resource J.

Resource J. Heyo Schweers G-A house ruins on Max Walden property, located west of Alternative 1 on the west side of CR 365. Photo by SGR, March 2004.



Figure 13. Resource K.

Resource K. M. Walden 20th century frame house, west of Alternative 1, west of CR 365.

Photo by SGR, March 2004.



Figure 14. Resource L.

Resource L. Ben Ivey G-A house, located west of Alternative 1 on the west side of CR 365.

Photo by SGR, March 2004.



Figure 15. Resource M.

Resource M. Schuele-Saathoff G-A house (listed on the National Register of Historic Places), located between Proposed Route and Alternative 2 on the south side of CR 4512. Photo by SGR, March 2004.



Figure 16. Resource N.

Resource N. Pichot G-A house, between the Proposed Route and Alternative 2, south side of CR 4512. Photo by SGR, March 2004.



Figure 17. Resource O.

Resource O. G-A house ruin on Pichot property, located adjacent to Alternative 2 on the south side of CR 4512. Photo by SGR, March 2004.



Figure 18. Resource P.

Resource P. Stone Wall on Lindsey property, intersected by the Proposed Route south of CR 4512. The wall is approximately 2000' long and is oriented approximately east-west along the base of a slope. It contains numerous large boulders and may be some kind of retaining wall. Information from past landowners suggests that it predates the 1870s. Photo by URS, June 2004.

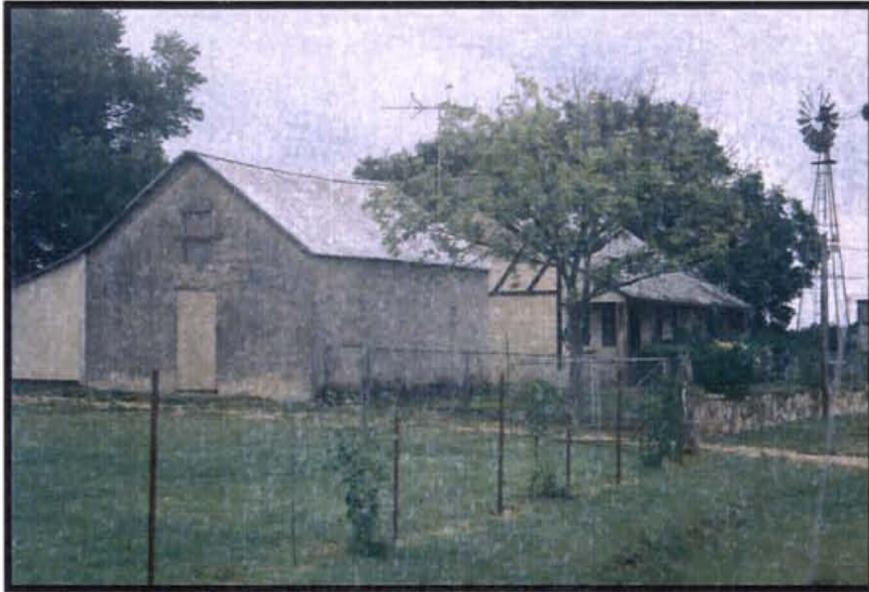


Figure 19. Resource Q (left) and Resource R (right).

Resources Q and R. G-A barn and house on Hosley property, located adjacent to Alternative 1 on the east side of CR365. Photo by URS, June 2004.



Figure 20. Resource S.

Resource S. G-A house/store, located west of Alternative 1 at the intersection of CR365 and CR4516. Photo by URS, June 2004.



Figure 21. Resource T.

Resource T. Victorian frame house, located west of Alternative 1 at the intersection of CR365 and CR4516. Photo by SGR, March 2004.



Figure 22. Resource U.

Resource U. Ruins of G-A house, located west of Alternative 1 at the intersection of CR365 and CR4516. Photo by URS, June 2004.



Figure 23. Resource V.

Resource V. Early 20th century frame house, located west of Alternative 1 at the intersection of CR365 and CR4516. Photo by SGR, March 2004.



Figure 24. Resource W.

Resource W. G-A house ruins (reported to have been used as a courthouse), located adjacent to Alternative 1 on the north side of CR4516. Photo by SGR, March 2004.



Figure 25. Resource X.

Resource X. G-A house, located adjacent to Alternative 1 on the north side of CR4516. Photo by SGR, March 2004.



Figure 26. Resource Y.

Resource Y. 20th century Barn, located between Alternatives 1 and 2 on the north side of CR4516. Photo by URS, June 2004.

Resource Z. Reported G-A house, located between Alternatives 1 and 2 on the north side of CR4516. No photo (Access to this property was not available during the field reconnaissance).



Figure 27. Resource AA.

Resource AA. 20th century Quihi Cemetery, located west of Alternative 1 on the west side of CR4517. Photo by SGR, March 2004.

Resource BB. Reported early 20th century Native American cemetery, located east of Alternative 1 on the south side of CR454. An acre of land on the Schorobiny property was set aside for use as a burial ground for some Native Americans that died in an epidemic. The reported location was visually inspected in June 2004. No cemetery evidence (such as markers or fences) was identified but the area is overgrown with brush and small trees, so the inspection was inconclusive.



Figure 28. *Resource CC.*

Resource CC. Reported Schorobiny G-A house ruins, located west of Alternative 1 on the south side of CR454. Access to this location was not possible due to high water at nearby creek crossings, so it has not been verified during the current project. The photograph in Figure 28 is taken from a survey form in the Texas Historic Sites Atlas (#NRS79-21841) that apparently recorded the ruins in 1972.

Resource DD. Reported Schorobiny family cemetery, located west of Alternative 1 on the east side of CR4545. No photo (Access to this location was not possible due to high water at nearby creek crossings, so it has not been verified).

3.3 Historic Period Archaeological Site Sensitivity

No historic period archaeological sites have been recorded for the project area (although a number of the Germanic-Alsatian house ruins are quickly becoming archaeological sites). It should be assumed that historic archaeological deposits may be associated with any of the structures inventoried. Houses and farmsteads are likely to contain a variety of associated features and structures such as barns, privies, trash middens, etc.

Since a systematic field survey has not yet been conducted, it is likely that there are historic archaeological sites obscured by soil and vegetation that have not yet been identified. Although the specific locations of such sites are not known, the general areas in which they are likely to be located can be predicted based on historic maps and knowledge of the historic settlement pattern in Quihi. The majority of historic period archaeological sites are likely to be located reasonably close to the historic road network, and the historic settlement in this area also was concentrated around Quihi Creek and along Quihi Creek for best access to reliable water.

Figure 29 reproduces a portion of a 1936 county highway map (updated in 1940) prepared by the Texas State Highway Department, and Figure 30 shows another highway map of 1959 (updated in 1960). A comparison of the 1936 map with a modern map (see Figure 1) shows that today's road network has changed very little from the early twentieth century network. The main changes consist of some intersection improvements along FM 2676, and the upgrades along US 90 just south of the project. In addition, to the west of the project area, a short section of FM 2676 along Elm Creek just north of the village of Quihi was shifted slightly west to get it out of the active creek floodplain (Robert Fitzgerald pointed out the old road bed in this area to Cassidy during his tour of the Quihi area). Comparison of Figures 29 and 30 also indicates that the roads at the extreme north end of the project (in the loading loop and quarry area) were built after 1940.

Since the current road network closely approximates the historic pattern, and historic archaeological sites are often located near historic roads, one measure of historic archaeological site sensitivity can be constructed by identifying the number of historic road crossings associated with each alternative. Based on data presented in Chapter 2 of the environmental document, the Proposed Route will have seven historic road crossings, Alternative 1 will have eight, Alternative 2 will have five, and Alternative 3 will have six. This measure indicates that Alternative 1 is likely to intersect the most historic archaeological sites, followed in order by the Proposed Route, Alternative 3, and Alternative 2.

Quantifying the number of road crossings does not take into account proximity to the areas of known high density of historic structures located along Quihi Creek. Taking this factor into account adjusts the ranking as follows: Alternative 1 is still likely to contain the most historic archaeological sites, but Alternative 2 moves into second place and is followed by the Proposed Route. Alternative 3 is the least sensitive for historic archaeological sites because it skirts east of much of the main historic settlement area. Finally, comparison of the 1936 map with modern maps indicates that there are several structures that were present in 1936 but are no longer visible. These include a structure next to Resource C within the APE of Alternative 3, two structures near the intersection of CR454 and CR4517 within the APE of Alternative 1, and a structure on CR4545 within the APE of Alternative 1. These are plotted in Figure 2 as unverified resources and shown in Figures 29 and 30 as structures no longer visible.

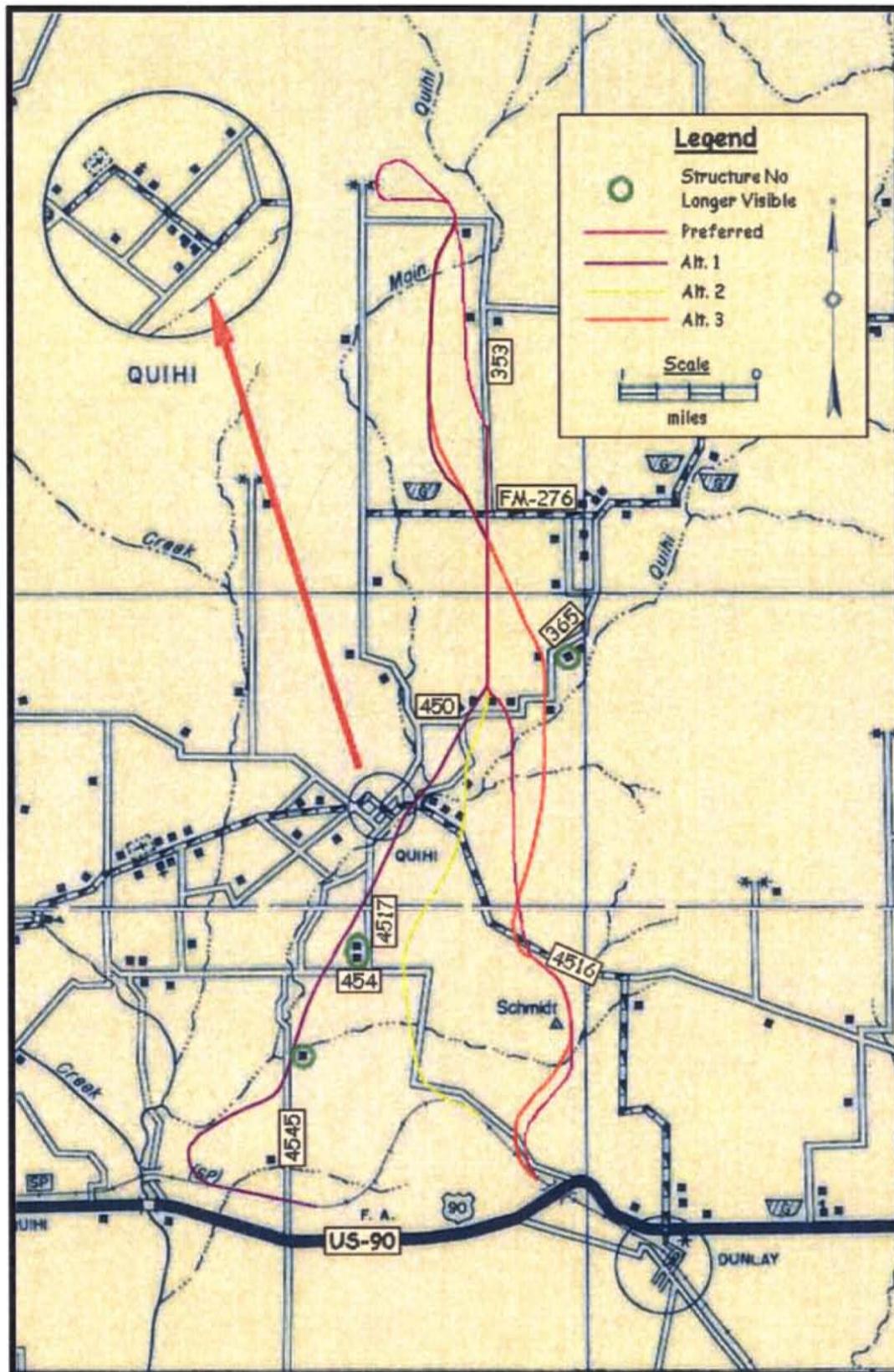


Figure 29. 1936 Texas Highway Department Map (updated 1940) of Medina County.

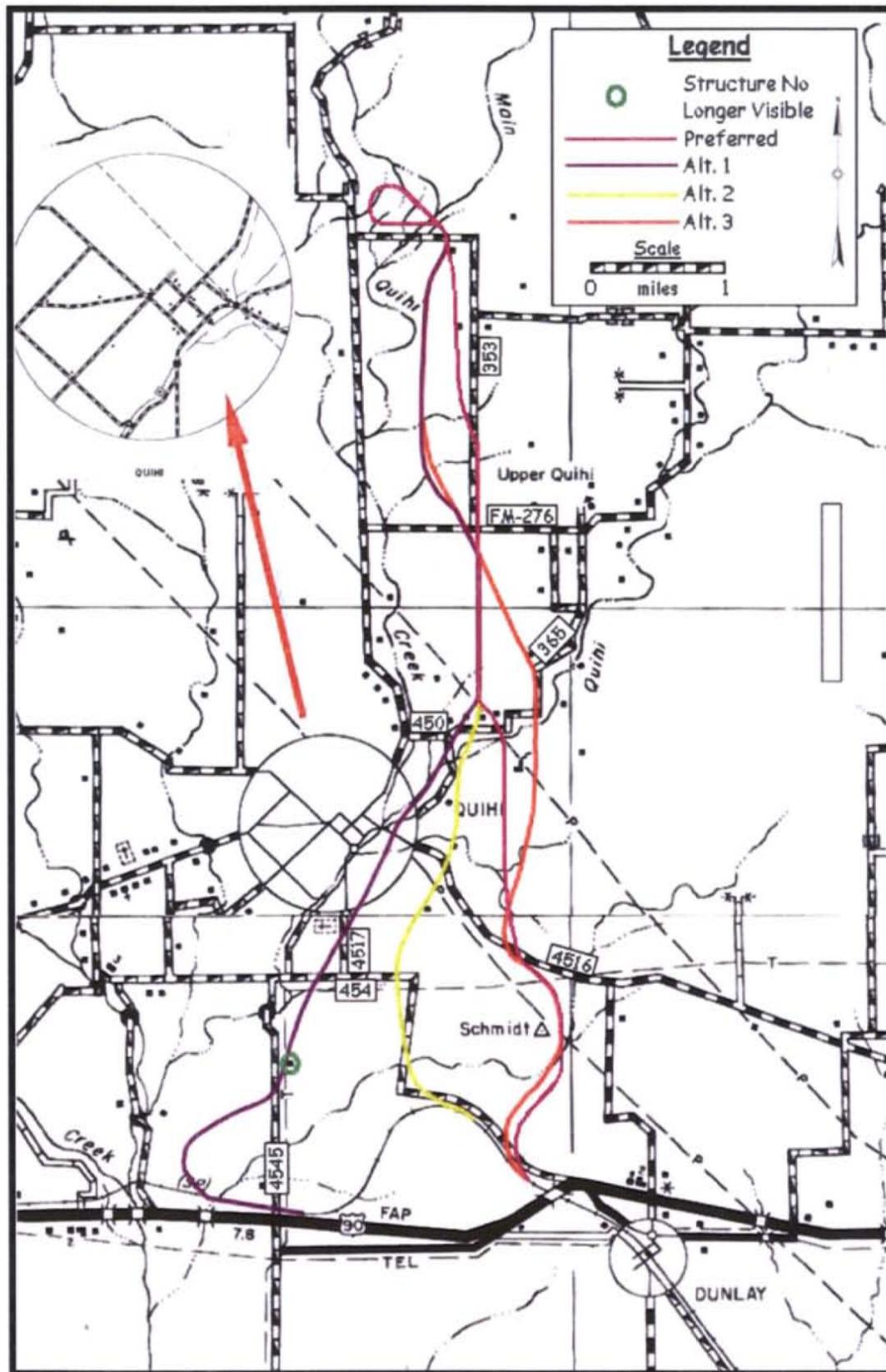


Figure 30. 1956 Texas Highway Department Map (updated 1961) of Medina County.

4.0 PREHISTORIC PERIOD RESOURCES

4.1 Prehistoric Cultural Context for the Project Area

Evidence related to prehistoric quarrying, stone tool manufacturing (lithic technology), hunting, and habitation (short and long term) has been reported in the Quihi Creek watershed (Hester 2000; Hester 2003; Keller 1973). Continuous occupation of the area from the late part of the Ice Age to historic periods is indicated by site types ranging from the Paleo-Indian (11,500-6000B.C.) and Archaic periods (6000 B.C. to 800 A.D) to late prehistoric period sites of the Toyah culture (1200 A.D. to historic contact).

Paleo-Indian sites are identified by distinctive tool types such as the Folsom, Clovis and Plainview points (Hester 1986). These sites are associated with mobile hunters who followed large herds of mammals such as mammoth and bison. Paleo-Indian sites within the Balcones Escarpment area, are sparse and generally consist of lithic material, though some large mammal kill sites have also been discovered (Hester 1986:2). Paleo-Indian habitation of the area is substantiated by finds recovered from Site 41UV2 located approximately 30 miles west of the project area. The site contains both Clovis (11,500 year ago) and Folsom period (10,800 years) occupations (Hester 2003; Hester 2000).

The Archaic period is generally divided into the Early Archaic (6000 - 3000 B.C.), the Middle Archaic (3000 - 1000 B.C.) and the Late to Terminal Archaic (1000 B.C. - A.D. 800), but the exact chronological boundaries between these sub-periods are the subject of ongoing discussion and analysis by archaeologists working in the region (e.g., Hester 2000, Johnson 1995). The Early Archaic is typified by small, mobile hunting bands. Most of the Early Archaic sites near the project area are located at the edges of the Balcones Escarpment, possibly as those areas once provided greater access to water (Hester 1986:3). Early Archaic site types tend to be small in nature and consist largely of lithics such as the Bell, Gower, Early Corner-Notched dart points and Guadalupe and Clear Fork tools (Ibid). This period also witnessed the introduction of ground stone tools and ornaments that followed a change in climate more similar to today's (Hester and Turner nd: 5).

With the advent of the Middle Archaic, Native American groups developed more localized hunting and gathering activities centered around seasonal camps. Populations also increased and developed subsistence strategies that relied on hunting local game such as deer and the collection of other food stuffs such as acorns (Hester 1986). Middle Archaic site types in the

area are typified by “burned rock midden” that appear as piles of fire-cracked rock (Bement 1994:1). These sites mark the locations where various cooking and/or processing activities occurred, often over a long period of time (Ibid; Hester 2000:5). Much of this subsistence strategy continued through the Late or Terminal Archaic, although during this period trade networks appear to have greatly expanded (Hester 1986). The addition of large scale cemeteries during the Middle Archaic and Late Archaic may also indicate more emphasis on territoriality (Hester and Turner nd: 5). It was during the Late Archaic that ceramics were introduced into the area marking the onset of more settled life. Distinctive point styles from this period include the Ensor, Darl, Frio, and Fairland (Ibid). A burial cave site (41ME30) dated to the Late Archaic is located approximately 20 miles west of the project area. The site is situated in a natural sinkhole formation, as is common practice for burials in this part of Texas. Sinkholes with the potential to contain burials may exist just north of the project area (Hester 2003).

The late Prehistoric period is marked by the introduction of the bow and arrow, bison hunting, and the greater use of rockshelter sites for habitation (Hester 1986:4). Archaic through late prehistoric habitation of the area is indicated by finds discovered at Scorpion Cave (41ME8), located approximately 8-10 miles east of the project area along the banks of the Medina river (Hester 2003; Ochoa 1996; Hester 2000). This site was continuously inhabited by either Coahuiltecan or Tonkawa Indians for thousands of years beginning in the Middle Archaic to possibly around 1600 A.D. (Ochoa 1996). Artifacts collected from the site include bone tools, lithic tools, and painted pebbles (Hester 2000). Later historic period incursions of the Lipan Apache and Comanche may also have left traces, although very little physical evidence of their occupation in Medina County has been found (Ibid).

In all, Medina County contains at least 131 recorded archeological sites (Godwin et al. 2003). More previously unidentified sites are likely in the region, as little work has been conducted in Medina County overall (Hester and Turner: nd). Quihi Creek, Cherry Creek, Elm Creek, and Polecat Creek and their tributaries, exhibit shallow to deep alluvial soils that have the potential to contain previously unidentified archeological deposits associated with Native American populations, including habitation, or activity areas. While the above-named water sources are intermittent in nature, water was likely available year round from other sources such as the “Four-Mile Waterhole” (Medina County Environmental Action Association, Inc. 2003). Year round supplies of water in the area indicate the potential for long term habitation as well as shorter-term camps.

Extensive deposits of Uvalde gravels, a raw material known to be frequently exploited by prehistoric tool makers, are not present in the study area, but are found 5 miles north of the area studied and 10 miles south of the area near La Coste, Texas (SEA 2003). In addition to annual supplies of water, these procurement areas indicate a significant potential for activity areas associated with tool production and or use within the project area.

4.2 Known Prehistoric Period Sites

The Texas Archaeological Sites Atlas documents three prehistoric archaeological sites in the vicinity of Quihi (41ME5, 41ME132, and 41ME133). Of the three, only one (41ME133) is situated near the project corridors. The location of these three sites is depicted on a map presented in Appendix A to this memo (distribution of this map is restricted). Site 41ME5 is mapped on the west side of Elm Creek about 3,200 feet west of where combined Alternatives 1, 2, and 3 cross FM2676. This site was identified during a survey conducted for improvements to FM2676, based on information provided on the site form by Keller in 1973. Surface survey in a plowed field identified the site as a sparse scatter of debris from the manufacture of stone tools of unknown age and cultural affiliation. This site was apparently destroyed by construction associated with FM 2676 (the nearby right-angle intersection was replaced with a curve).

Site 41ME132 (the Buddy Mangold Site) is located on the edge of an upland plateau approximately 1.3 miles east of Alternative 3. The site form was recorded by Dr. Thomas Hester in July of 2003 but was found earlier and investigated by the late Buddy Mangold on the property of his brother Russell. An avocation archaeologist, Buddy Mangold recovered evidence of intensive and long term deposits from almost every time period from Paleoindian to the Contact Period in deposits ranging as deep as five feet below the surface. Although documentation of his excavations is not available, he left his collection to his friends and neighbors, Glenn and Cynthia Lindsey. Glenn Lindsey observed some of Mr. Mangold's excavations in progress and the Lindsey's have allowed Dr. Hester to analyze the collections.

Site 41ME133 (the Gap Site) is located within about 100 feet of where Alternative 3 crosses CR4512. This site was also found by Buddy Mangold and entered into the state inventory by Thomas Hester. Mr. Mangold apparently dug a limited number of test pits and recovered a number of Frio projectile points. He did not conduct more intensive excavations here because he was concerned that the location was too visible and that looters would discover the site (Lindsey, personal communication 2004). In late July of 2004, Dr. Hester directed a group from the Southern Texas Archaeological Association in a program of survey and test

excavations at 41ME133 and on the adjacent Lindsey property. Additional artifacts were recovered (MacCormack 2004), but results of this recent research are not yet available.

In addition to the investigations described above, archaeological surveys were conducted in the mid 1980s for upgrades to US 90, just south of where the proposed rail project meets the existing Union Pacific rail line. These surveys of 9.4 miles of US 90 by the state highway department did not identify any archaeological sites in the vicinity of the current project (SDHPT 1985, 1986).

4.3 Prehistoric Site Sensitivity

Although no systematic field survey has been conducted, it is likely that there are additional archaeological sites obscured by soil and vegetation that have not yet been identified. Even though only one prehistoric site has been recorded in close proximity to any of the project alignments, there is a relatively high probability that there are numerous other sites that have not yet been identified. Although Quihi Creek is not a large waterway with a deep flow, the bed of the creek appears to contain springs and seeps that have attracted and maintained abundant vegetation and wild game resources for thousands of years. Local inhabitants report that it rarely runs completely dry, even though it sometimes shrinks to isolated pools. The same factors that attracted the European settlers to Quihi in the 1840s likely attracted Native American settlement as well.

Higher spots on the alluvial soils along the floodplain and adjacent stream terraces are likely to contain buried prehistoric sites. In addition, level landforms adjacent to the base of the valley side slopes may have colluvial soil deposits where archaeological sites have been buried by slope wash. Additional high-probability areas for prehistoric sites would include upland areas located near springs and karst features. Local residents have reported that there are at least two sinkholes in the vicinity of the proposed quarry, and multiple “mound” features have also been reported in this area on the Wurzbach property. Neither the sinkholes nor the mounds have been field-confirmed by an archaeologist (sinkholes were often used as human burial features by Native Americans). Dr. Thomas Hester has suggested that perhaps the “mound” features could be burned rock middens (Hester, personal communication, 2004).

To provide a more detailed analysis of the relative prehistoric archaeological sensitivity of the various project corridors, an elementary predictive model was constructed using available soils data. In general, substantial human settlements tend to be situated on relatively level,

relatively well drained soils near streams and water sources, but not in active flood danger zones. This does not mean that all archaeological sites are located in such settings, because short-term and special purpose sites can be located in a variety of additional settings.

The Soil Conservation Service soil survey of Medina County (Dittmar et al. 1977) provides detailed mapping and description of the different soils crossed by the potential rail corridors. These maps have been digitized, so it was possible to use a GIS program to display the soils data in spatial relationship to the alignments of the various rail corridors. All soil types crossed by the project were then classified as either high sensitive or low sensitive for prehistoric sites. The low sensitive category included poorly drained and steeply sloping soil types, as well as extremely rocky soils and shallow clayey soils with caliche layers near the surface. High sensitive included all other soils. Figure 31 displays the results of this analysis. Alternative 1 crosses 5.04 miles of terrain classified as high sensitive, Alternative 2 crosses 3.96 miles, the Proposed Route crosses 3.15 miles, and Alternative 3 crosses 2.85 miles.

It should be emphasized that this sensitivity model is only intended as a general planning tool to compare multiple rail corridors. It does not attempt to depict the specific location of all archaeological sensitive landforms. A more fine-grained depiction of archaeological sensitivity within the APE would require more detailed geomorphological analysis in addition to the information presented here.

Combining the field reconnaissance, review of topographic maps, and the soils predictive model, a qualitative assessment of the relative prehistoric site sensitivity can be made for each of the rail routes. Alternative 1 should be considered the most sensitive because it traverses the most terrain near Quihi Creek and its tributaries. Stream terraces of well drained soils along these creeks are most likely to contain substantial, well-preserved prehistoric sites. Alternative 2 is the next most sensitive. It is also relatively close to the creek, but less so than Alternative 1. Alternative 3 and the proposed route are less sensitive because the south ends of these corridors traverse a large section of sloping side hill terrain that is less likely to contain prehistoric sites. (Alternative 3 is the only corridor that passes near a known site - 41ME133 – but as a whole, it intersects less sensitive terrain).

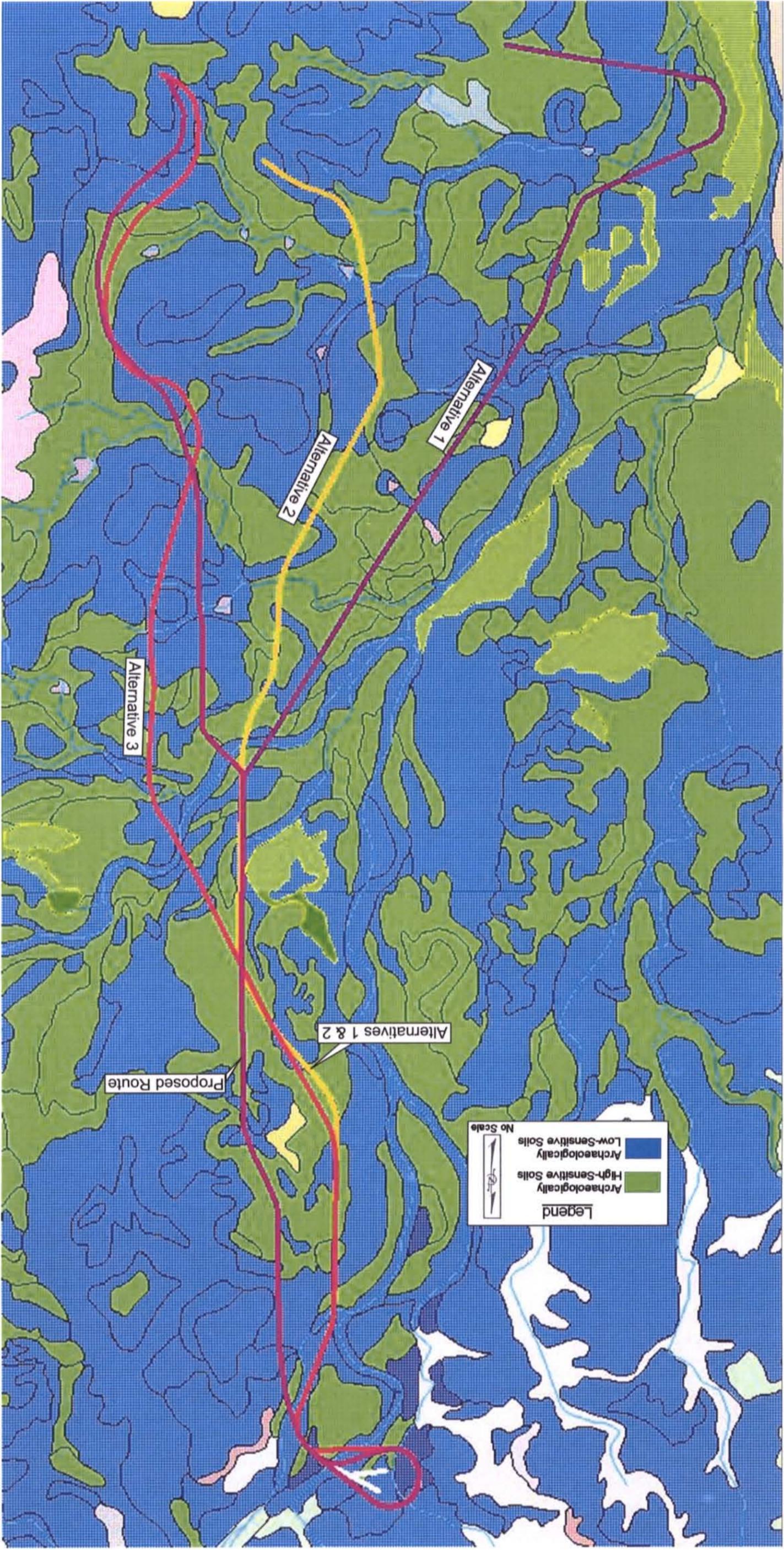


Figure 31. Prehistoric Archaeological Sensitivity Map Based on Soils Types

5.0 SUMMARY AND RECOMMENDATIONS

Table 1 has been constructed to summarize the information gathered concerning recorded historic and prehistoric cultural resources in the region crossed by the proposed rail project and Table 2 summarizes the archaeological sensitivity analysis. In Table 1, columns for the proposed route and each alternative list the total number of known and suspected resources located within the APE. This information indicates that Alternative 1 is located near many more known and suspected historic resources relative to Alternative 2, Alternative 3 and the proposed route. In general, the routes do not directly impact known individual cultural resources. The exception to this is the stone wall on the Lindsey property, which is crossed by the proposed route and Alternative 3, and possibly prehistoric site 41ME133, which is very close to Alternative 3 (the precise boundaries of the site are not yet known).

Table 2 presents a relative ranking of the archaeological sensitivity of each of the four rail alignments. This ranking is based on the historic sensitivity discussion in Chapter 3 and the prehistoric sensitivity analysis presented in Chapter 4. It can be seen that the same alignments that are most sensitive for prehistoric sites (1 and 2) are also the most sensitive for historic period sites.

Table 1. Summary of Cultural Resources within 1000 Feet of Any Corridor (APE).

	<u>Proposed Route</u>	<u>Alternative 1</u>	<u>Alternative 2</u>	<u>Alternative 3</u>
19 th Century Structures	5	15	7	5
20 th Century Structures	2	4	2	1
Cemeteries	0	1	0	0
Unverified Historic Resources*	0	5	0	1
<u>Recorded Prehistoric Sites</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>1</u>
Total Resources	7	25	9	8

* Reported by local informants or shown on historic maps, but not yet independently field verified.

Table 2. Archaeological Sensitivity Ranking of the Project Corridors.

	<u>Proposed Route</u>	<u>Alternative 1</u>	<u>Alternative 2</u>	<u>Alternative 3</u>
Historic Sites (Rank order: 1 = most sensitive)	3	1	2	4
Prehistoric Sites (miles of high sensitive terrain)	3.15	5.04	3.96	2.85

The analysis summarized above has examined the cultural resources of the Quihi Valley as individual properties. Consideration should also be given to the possibility that this community constitutes a rural historic landscape, which is one of the categories of properties that can qualify for listing in the National Register as a historic district. National Register Bulletin 30 (National Park Service 1999) defines a rural historic landscape as:

...a geographical area that historically has been used by people, or shaped or modified by human activity, occupancy, or intervention, and that possesses a significant concentration, linkage, or continuity of areas of land use, vegetation, buildings and structures, roads and waterways, and natural features. Rural landscapes commonly reflect the day-to-day occupational activities of people engaged in traditional work such as mining, fishing, and various types of agriculture. Large acreage and a proportionately small number of buildings and structures differentiate rural historic landscapes from other kinds of historic properties.

Significant numbers of Germanic-Alsatian-style native stone homes and ruins and Victorian-style wooden frame homes are present along Quihi Creek and are associated with the 19th and 20th century communities of Quihi and Upper Quihi. In addition to the 18 Germanic-Alsatian structures inventoried near the proposed rail alignments, there are many more located to the south and west toward New Fountain and along Quihi Creek.

The layout of these settlements was done in a pattern reminiscent of their European villages. The settlements were laid out in town lots surrounded by outlying twenty- and forty-acre farming plots. Settlers lived in the protective environs of their towns and farmed their nearby fields. The immigrants brought with them their unique culture and a distinctive architecture. By the mid-1850s buildings were being made of rough-cut native limestone, sandstone, or some combination of stone and timber; lime plaster was used to coat the exterior walls and adobe the interior walls. Houses were designed with a characteristic rectangular shape, short in the front and long at the rear roofline, common to the rural structures of their homelands. Most homes and buildings had fireplaces built with internal angular flue systems.

Many settlers in Quihi continued to speak German and established ethnic social organizations such as the Quihi Gun Club. Many of the properties were passed down in the same family and are still owned by relatives today. The road network today appears to be much the

same as it was in the 19th century and early 20th century. Most of the roads are unpaved and most of the creek crossings utilize fords instead of bridges. The property parcels still maintain many of the sizes and shapes of the original grants and are delineated by fence lines and roads that have been in the same location for over a century. The vegetation patterns of pasture, cropland, and woodland maintain substantial continuity with historic patterns.

If the Quihi community constitutes a rural historic landscape that is eligible for the National Register as a composite entity (as a site or district), then all four rail alignments cross this cultural resource. Further analysis would be required to evaluate the relative impact of each alignment on the historic landscape, but as a general note, Alignments 1 and 2 appear to have more of an impact on this landscape than do the Proposed Route and Alternative 3. Alternative 3 appears to have the least impact of all four, based on its peripheral sitting.

The no build alternative cannot be evaluated in quite the same manner as the four rail alignments, but some general statements can be offered. If trucks are used to transport gravel from the quarry to the rail line instead of a rail spur, archaeological sites are less likely to be affected because new corridor construction will be eliminated or reduced. However, historic structures are more likely to be affected. Since many of the potentially significant historic buildings are clustered along narrow unpaved roads in Quihi that would be utilized by a high volume of gravel truck traffic, a variety of indirect impacts are likely.

Impacts related to the Medina Lake Dam alternative cannot be quantified since a precise alignment for this route has not yet been mapped (conceptual options based on the general historic location of this former rail line have been reviewed). A 14-mile rail line was built from Dunlay north to the Medina Dam construction site in 1911 to haul material and supplies. The Although few traces of this rail line are visible today, historic maps indicate that it ran slightly east of north from Dunlay and stayed on the level upland plateau east of Quihi before descending into the Quihi Creek valley north of Upper Quihi. Although Medina Dam is listed on the National Register of Historic Places, the rail line that was built to assist in the dam construction was not included in the nomination, and it was designed as a temporary structure to be removed following completion (Kearney 1912).

In general, a modern alternative that utilized a portion of the Medina Dam Rail route would likely involve fewer cultural resource issues than the other rail alignments or the trucking option because the southern two-thirds of the route would stay on an upland plateau well east of

Quihi and then turn northwest to cross the Quihi Creek valley northeast of the densest concentration of historic structures. Some archaeological impacts are likely on either side of the Quihi Creek crossing.

As was discussed in the *Preliminary Cultural Resources Assessment* (SEA 2003), many of the known cultural resources that are located near the proposed route and alternative alignments have the potential to be eligible for listing in the National Register of Historic Places. Additional study by archeologists and architectural historians of any rail route selected for development will clearly be required, and measures designed to mitigate impacts are likely to be needed.

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Appendix I-5

Vibration Study

SURFACE TRANSPORTATION BOARD

SECTION OF ENVIRONMENTAL ANALYSIS

STB Finance Docket 34284 – Southwest Gulf Railroad Company – Construction and Operation Exemption – Medina County, TX

Editor's Note: This vibration study was prepared in conjunction with the Preliminary Cultural Resources Assessment report in the Fall of 2003 and does not include discussion of SEA's more recent cultural resources studies (detailed in Appendix I-4).

VIBRATION STUDY

This report describes the existing ground-borne vibration and noise-induced vibration environment in the area of the proposed project and identifies cultural resources that may be affected by vibration. The following discussion describes the fundamentals of vibration and sets forth vibration calculations for known cultural resources near the proposed route and alternatives.

1.0 Fundamentals of Vibration

Vibration is defined as any oscillatory motion induced in a structure or mechanical device as a direct result of some type of input excitation. Vibration consists of waves transmitted through solid material (Beranek and Ver 1992). There are several types of wave motion in solids, unlike in air, including compressional, shear, torsional, and bending. The solid medium can be excited by forces, moments, or pressure fields. This leads to the terminology "air-borne" (pressure fields) or "structure-borne/ground-borne" (forces and moments) vibration.

Ground-borne vibration propagates from the source through the ground to adjacent buildings by surface waves. Vibration may be comprised of a single pulse, a series of pulses, or a continuous oscillatory motion. The frequency of a vibrating object describes how rapidly it is oscillating, measured in Hertz (Hz). Most environmental vibrations consist of a composite, or "spectrum" of many frequencies, and are generally classified as broadband or random vibrations. The normal frequency range of most ground-borne vibration that can be felt generally starts from a low frequency of less than 1 Hz to a high frequency of about 200 Hz. Ambient and source vibration information for this study has been measured in terms of the peak particle velocity (PPV) in inches per second (in/sec) that correlates best with human perception. The particle velocity is the velocity of the soil particles resulting from a disturbance. Agencies such as the Federal Transit Administration (FTA) and the National Park Service (NPS) use PPV as a descriptor because it is related to the stresses experienced by buildings.

Vibration energy spreads out as it travels through the ground, causing the vibration amplitude to decrease with distance away from the source. High frequency vibrations reduce much more rapidly than low frequencies, so that in the far-field from a source the low frequencies tend to dominate. Soil properties also affect the propagation of vibration. When ground-borne vibration interacts with a building there is usually a ground-to-foundation coupling loss but the vibration can also be amplified by the

structural resonances of the walls and floors. Vibration in buildings is typically perceived as rattling of windows or items on shelves or the motion of building surfaces. The vibration of building surfaces can also be radiated as sound and heard as a low-frequency rumbling noise, known as ground-borne noise.

1.1 REGULATORY FRAMEWORK

1.1.1 Vibration

Federal Transit Administration (FTA) and Federal Railroad Administration (FRA)

The FTA and FRA have published guidelines for assessing the impacts of ground-borne vibration associated with construction of rail projects, which have been applied by other jurisdictions to other types of projects (FTA 1995). The FTA measure of the threshold of architectural damage for conventional sensitive structures is 0.2 in/sec PPV. The threshold of perception of vibration is 0.01 in/sec PPV.

National Park Service

The National Park Service (NPS) has published guidelines for assessing the impacts of vibration on historic structures (NPS 1984). The following parameters are suggested for safe levels of vibration:

- 1) 0.2 in/sec PPV for structures that exhibit significant levels of historic or architectural importance (typical of Category A and B structures in the NPS's List of Classified Structures), or that are in a poor or deteriorated state of maintenance.
- 2) 0.5 in/sec PPV for all other historic sites.

1.2 POTENTIAL VIBRATION IMPACTS ON CULTURAL RESOURCES

1.2.1 Proposed Project

1.2.1.1 Construction

Sixteen 19th century cultural resource sites are located within approximately 250 feet to 5,300 feet from the proposed route (Table 1). The structural integrity and the capacity for these resources to be affected by ground-borne vibration vary.

Construction activity can result in varying levels of ground vibration, depending on the equipment and methods used. Operation of construction equipment causes ground vibrations, which spread through the ground and diminish in strength with distance. Ground vibrations from construction activities very rarely reach levels that can damage structures, but can be noticeable close to the source. The construction activities that generate the highest level of vibration are blasting and pile driving. These activities would not occur as part of the proposed project.

The California Department of Transportation (Caltrans) has conducted extensive vibration measurements on construction activities. With the exception of pile driving and pavement breaking, all Caltrans construction vibration measurements have been below 0.2 in/sec. At 25 feet, vibration levels from equipment such as trucks, jackhammers, and bulldozers range from approximately 0.04 to 0.09 in/sec (Caltrans 1996). Based on the distance from the source of the proposed construction to known cultural resources, there would be no significant impact to known cultural resources as a result of ground-borne vibration.

1.2.1.2 Operation

As discussed above, sixteen 19th century cultural resource sites are located within approximately 250 feet to 5,300 feet from the proposed railroad alignment (Table 1). The structural integrity and the capacity for these resources to be affected by ground-borne vibration vary.

Ground vibration from trains was assessed using the General Vibration Assessment methods contained in the FTA Transit Noise and Vibration Impact Assessment manual (FTA 1995). The manual uses generalized data to develop a curve of vibration level as a function of the distance from the track.

The assumptions made for the assessment include: (1) the use of welded rail, (2) wheels/rail are in good condition, (3) the vehicles have non-stiff suspension, and (4) the track is stiffly supported. Traffic would be four 5,800 trains per day with two locomotives. The maximum train speed would be 25 mph. Therefore, a vibration level of 0.2 in/sec would occur at approximately 45 feet from the tracks.

The closest historic structure to the proposed route would be at least 250 feet from the tracks. No cultural resource would be located within the 45-foot impact distance from the tracks. Thus, there would be no ground-borne vibration impacts to known cultural resources as a result of proposed railroad operations.

1.2.2 Alternative Route 1

1.2.2.1 Construction

Sixteen 19th century cultural resource sites are located within approximately 125 feet to 2,800 feet from this alternative rail alignment (Table 1). At 25 feet, vibration levels from equipment such as trucks, jackhammers, and bulldozers range from approximately 0.04 to 0.09 in/sec. As a result of distance from the source to the cultural resources, ground-borne vibration impacts to known cultural resources as a result of the proposed construction would not be significant.

1.2.2.2 Operation

As discussed above, sixteen 19th century cultural resource sites are located within approximately 125 feet to 2,800 feet from this alternative rail alignment (Table 1). Vibration levels of 0.2 in/sec would occur at approximately 45 feet from the tracks. The closest historic structure would be at least 125 feet from the tracks. No cultural resource would be located within the 45-foot impact distance from the tracks. Therefore, there

would be no ground-borne vibration impacts to known cultural resources as a result of proposed railroad operations.

1.2.3 Alternative Route 2

1.2.3.1 Construction

Sixteen 19th century cultural resource sites are located within approximately 250 feet to 3,800 feet from this alternative railroad alignment (Table 1). At 25 feet, vibration levels from equipment such as trucks, jackhammers, and bulldozers range from approximately 0.04 to 0.09 in/sec. As a result of distance from the source to the cultural resources, ground-borne vibration impacts as a result of construction would not be significant.

1.2.3.2 Operation

As discussed above, sixteen 19th century cultural resource sites are located within approximately 250 feet to 3,800 feet from this alternative rail alignment (Table 1). Vibration levels of 0.2 in/sec would occur at approximately 45 feet from the tracks. The closest historic structure would be at least 250 feet from the tracks. No cultural resource would be located within the 45-foot impact distance from the tracks. Therefore, there would be no ground-borne vibration impacts to known cultural resources as a result of proposed railroad operations.

1.2.4 Alternative Route 3

1.2.4.1 Construction

Sixteen 19th century cultural resource sites are located within approximately 250 feet to 7,600 feet from this alternative railroad alignment (Table 1). At 25 feet, vibration levels from equipment such as trucks, jackhammers, and bulldozers range from approximately 0.04 to 0.09 in/sec. As a result of distance from the source to the cultural resources, ground-borne vibration impacts to known cultural resources as a result of construction would not be significant.

1.2.4.2 Operation

As discussed above, sixteen 19th century cultural resource sites are located within approximately 250 feet to 7,600 feet from this alternative rail alignment (Table 1). Vibration levels of 0.2 in/sec would occur at approximately 45 feet from the tracks. The closest historic structure would be at least 250 feet from the tracks. No cultural resource would be located within the 45-foot impact distance from the tracks. Therefore, there would be no ground-borne vibration impacts to known cultural resources as a result of proposed railroad operations.

1.2.5 No Build Alternative

1.3.5.1 Construction

No construction of rail would occur under this alternative. Therefore, there would be no construction-related vibration impacts to known cultural resources from the proposed rail line construction.

1.2.5.1 Operation

No rail operations would occur under this alternative. Therefore, there would be no operations-related vibration impacts to known cultural resources from proposed railroad operations.

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Table 1
Summary of 19th Century Cultural Resources Within 1000 Feet of the
Proposed Route and the Alternative 1, 2, and 3 Alignments Listed from
North to South with Eligibility

Description	County Road	Proposed Route	Alternative Route 1	Alternative Route 2	Alternative Route 3	Eligibility Status for NR Listing
Oeffinger G-A Cottage	CR 365	1800	1800	1800	250	Unknown
Saathoff Victorian Cottage	CR 365	2800	2800	2800	650	Potential
Saathoff G-A Cottage	CR 365	2400	2400	2400	800	Potential
G-A Cottage Ruins	CR 365	2400	2400	2400	600	Potential
Henry Schweers House	CR 365	250	800	250	2200	Eligible
Schweers Cemetery	CR 365	1500	200	600	3200	Unknown
William Schweers House	CR 365	1800	125	800	3200	Eligible
G-A Cottage Ruins	CR 450	2000	400	1200	3800	Potential
Pichot Property	CR 365	1000	1200	400	2400	Unknown
Schuele-Saathoff (NRHP)	CR 365	1000	2100	1300	2200	Listed
Housely G-A Cottage	CR 365	4300	300	2200	5500	Potential
G-A Cottage Ruins	CR 4516	5300	1000	3400	6800	Potential
Victorian House	CR 4516	5200	800	3100	6400	Unknown
G-A Ruins @ 4311	CR 4516	5000	300	3800	6000	Potential
G-A Cottage @ 4311	CR 4516	4950	125	2500	5800	Potential
Quihi Cemetery	CR 4517	4700	700	3800	7600	Unknown

AD=Archeological Deposits; G-A=Germanic Alsatian; NR=National Register Property