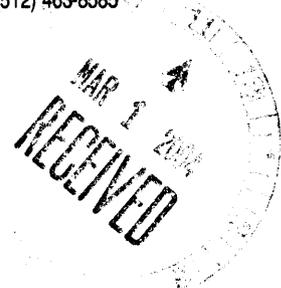


Texas Department of Transportation

DEWITT C. GREER STATE HIGHWAY BLDG. • 125 E. 11TH STREET • AUSTIN, TEXAS 78701-2483 • (512) 463-8585

February 25, 2004

#E1-698
R24



The Honorable Frank Madla
Texas State Senate
1313 S.E. Military Drive, Suite 101
San Antonio, Texas 78214-2850

Re: Proposed Southwest Gulf Railroad Company Spur Track Crossing Permit
Application - Medina County at FM 2676, near Hondo

Dear Senator Madla:

This is in response to your letter of January 8, 2004, regarding the proposed rail corridor to the proposed quarry operations in Medina County which will require a highway-rail crossing at FM 2676. The proposed spur track permit for an at-grade crossing of FM 2676 was tabled during the December 18, 2003 Texas Transportation Commission meeting for further study by the Texas Department of Transportation (TxDOT). Since the December meeting, we have had further discussions with the Southwest Gulf Railroad Company (SGR) regarding their filing with the Surface Transportation Board (STB). Representatives of TxDOT have also met with Medina County officials and the local group opposing the proposed rail line and rock quarry operations. These discussions have dealt with the proposed rail crossing at FM 2676 in Medina County and the viability of placing a grade separation versus a fully signalized and gated grade crossing.

It is our understanding that the STB has ruled that an Environmental Impact Statement will now be required for the proposed rail corridor. Upon the record of environmental determination and final identification of the proposed FM 2676 rail crossing location, TxDOT will conduct a safety assessment of the proposed crossing to determine the necessary safety improvements required to address the needs of the traveling public.

Safety improvements required for the FM 2676 crossing will be done in accordance with TxDOT's policy and procedures. This will require an agreement with SGR which TxDOT must obtain approval to enter into from the Texas Transportation Commission (TTC). The TTC approval would include the type of safety treatment TxDOT would require at this highway-rail intersection. In accordance with the Texas Transportation Code, funding for initial and future rail crossing safety improvements must be borne by the rail company.

The Honorable Frank Madla

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February 25, 2004

Thank you for your interest in the safety of the traveling public. Please contact Mr. Carlos Lopez, Director, Traffic Operations Division at (512) 416-3200 or me at (512) 305-9501, if you have any questions regarding this matter.

Sincerely,

Original Signed by M. W. Behrens, P.E.

Michael W. Behrens, P.E.
Executive Director

cc: Texas Transportation Commission
David H. Coburn, Steptoe & Johnson, LLP
✓Victoria Rutson, Surface Transportation Board
Dr. Robert Fitzgerald, Medina County Environmental Action Association
The Honorable Jim Barden, Medina County Judge
The Honorable Frank Madla, Capitol Office
David Casteel, P.E., San Antonio District Engineer, TxDOT
Amy Medrano, Legislative Affairs Office, TxDOT
Jim Randall, P.E., Director, Transportation Planning and Programming, TxDOT
Carlos A. Lopez, P.E., Director, Traffic Operations Division, TxDOT